

FY 2011 Standing Appropriations Bill House File 2531

Final Action

March 30, 2010

An Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing, and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date and retroactive applicability provisions.

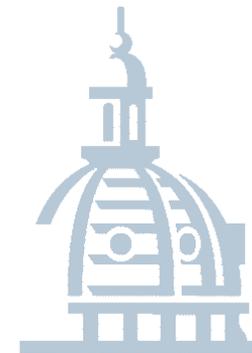


**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available at <http://www3.legis.state.ia.us/noba/index.jsp>

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**EXECUTIVE SUMMARY
FY 2011 STANDING APPROPRIATIONS BILL**

HOUSE FILE 2531

FUNDING SUMMARY

***DIVISION I – MENTAL HEALTH
ALLOWED GROWTH***

***DIVISION II – STANDING
APPROPRIATIONS AND RELATED
MATTERS***

GENERAL ASSEMBLY

STANDING APPROPRIATION LIMITS

STATE SCHOOL FOUNDATION AID

FY 2011 General Fund

- The overall impact of HF 2531 is a net reduction of \$420.9 million to FY 2011 General Fund appropriations. The Bill also provides General Fund supplemental appropriations totaling \$500,000 for FY 2010.

FY 2011 Other Funds

- This Bill appropriates a total of \$477.1 million from non-General Fund sources for FY 2011. This includes: \$272.4 million from the Cash Reserve Fund, \$146.0 million from the Property Tax Credit Fund, \$40.0 million from the Hospital Health Care Access Trust Fund, \$8.4 million from the Underground Storage Tank Fund, \$7.5 million from the School Infrastructure Fund, and \$2.8 million from other sources.
- Requires the FY 2012 allowed growth appropriation adjustment for mental health services to be established within the first 30 days of the 2011 Legislative Session. (Page 1, Line 3)
- Reduces the FY 2011 standing appropriation for the Legislative Branch by \$5.9 million. (Page 2, Line 2)
- Limits the following FY 2011 General Fund standing appropriations to specified amounts.
 - \$443,000 to the Department of Cultural Affairs for community cultural grants. (Page 2, Line 18)
 - \$862,000 to the Department of Economic Development for regional tourism marketing. (Page 2, Line 22)
 - \$182,000 to the Department of Public Health (DPH) for the Center for Congenital and Inherited Disorders Central Registry. (Page 2, Line 25)
 - \$218,000 to the Department of Human Services (DHS) for Child Abuse Prevention Programs. (Page 2, Line 29)
 - \$11.5 million to the Department of Education for Children At-Risk Programs. (Page 2, Line 32)
 - \$7.1 million to the Department of Education for nonpublic school transportation. (Page 3, Line 2)
 - \$81.2 million to the DHS for the Property Tax Relief Fund. (Page 3, Line 9)
 - \$19.6 million to the Office of Energy Independence for the Iowa Power Fund. (Page 3, Line 16)
- Limits State School Foundation Aid to \$2,499.2 million for FY 2011. House File 2519 (Block Grant Appropriations Bill) appropriates a total of \$47.9 million from federal stimulus funds in lieu of an equal amount of General Fund money appropriated in this Bill. The FY 2011 School Foundation Aid total appropriation is estimated to be \$162.0 million less than the amount needed to fully fund State School Foundation Aid for FY 2011. (Page 3, Line 19)

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**STATE FOUNDATION AID – UST
FUND**

INSTRUCTIONAL SUPPORT

**VETERANS HOME FEDERAL
REIMBURSEMENT**

PROPERTY TAX CREDIT FUND

**ADDITIONAL FEDERAL STIMULUS
FUNDING CONTINGENCY**

PERFORMANCE OF DUTY

**CASH RESERVE FUND
REQUIREMENTS**

FY 2011 AEA REDUCTION

**MENTAL HEALTH PROPERTY TAX
RELIEF FUND**

- Appropriates \$5.1 million from the Underground Storage Tank (UST) Fund in lieu of an equal amount of General Fund money for State School Foundation Aid. (Page 3, Line 28)
- Appropriates \$7.5 million from the School Infrastructure Fund in lieu of the General Fund appropriation for FY 2011 for Instructional Support State Aid. (Page 4, Line 18)
- Requires the first \$727,000 in federal matching funds received from the federal Veterans Home Administration for improvements to the Medical Clinic at the Iowa Veterans Home to be credited to the General Fund. (Page 4, Line 33)
- Appropriates a total of \$146.0 million to the Property Tax Credit Fund, including: \$91.3 million from the General Fund and \$54.7 million from the Cash Reserve Fund. (Page 5, Lines 9 through 17)
- Makes the following FY 2011 appropriations from the Property Tax Credit Fund in lieu of the General Fund standing appropriations: (Page 5, Line 24 through Page 6, Line 5)
 - \$87.8 million for the Homestead Property Tax Credit.
 - \$32.4 million for the Family Farm and Agricultural Land Tax Credits.
 - \$2.4 million for the Military Service Tax Credit.
 - \$23.4 million for the Elderly and Disabled Tax Credit.
- Specifies that if additional federal American Recovery and Reinvestment Act (ARRA) Education Stabilization funding is made available for FY 2011, that the funds be credited to the Federal Recovery and Reinvestment Fund and be appropriated for education purposes in FY 2011. (Page 6, Line 28)
- Appropriates \$10.6 million from the Cash Reserve Fund to the Executive Council for Performance of Duty expenditures. (Page 8, Line 12)
- Notwithstanding the requirement that a Cash Reserve Fund appropriation be used for nonrecurring emergency expenditures and that an appropriation not be made from the Cash Reserve Fund that would cause the Fund's balance to be less than 3.75% of the adjusted revenue estimate. (Page 8, Line 23)
- Specifies that the General Fund appropriation to the Cash Reserve Fund required in the event the Fund does not maintain a balance equal to 7.5% of the FY 2011 adjusted revenue estimate will not be made in FY 2011. (Page 8, Line 27)
- Maintains a reduction of \$2.5 million from State Foundation Aid for Area Education Agencies. (Page 8, Line 32)
- Changes the General Fund standing appropriation for the Property Tax Relief Fund from \$95.0 million to \$88.4 million and eliminates a \$6.6 million standing appropriation from the Property Tax Relief Fund to the DHS for the Medical Assistance Program. (Page 9, Line 10)

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**FY 2010 CASH RESERVE FUND
APPROPRIATION**

***DIVISION III – SALARIES AND
COMPENSATION***

***DIVISION IV – APPROPRIATION
REDUCTIONS***

**DOM CONTINGENT
APPROPRIATION**

**DAS TECHNOLOGY
APPROPRIATION**

***DIVISION V – STATE FINANCIAL
MANAGEMENT DUTIES***

***DIVISION VI – CORRECTIVE
PROVISIONS***

- Requires the unobligated balance from the FY 2010 Cash Reserve Fund appropriation to the Executive Council to carry forward to FY 2011. The estimated carryforward balance is \$19.4 million. (Page 9, Line 33)
- The identified need for FY 2011 salary and benefit increases for State employees is \$77.7 million from the General Fund and \$51.1 million from non-General Fund sources. This includes \$1.8 million from the General Fund and \$1.3 million from non-General Fund sources for vacant positions.*
- Requires State agencies and establishments to fully fund collective bargaining agreements from available resources. (Page 11, Line 16)
 - Specifies that pay plans for noncontract employees, excluding the Board of Regents, will not be increased and prohibits step increases for FY 2011. (Page 12, Line 30)
 - Requires the Board of Regents to use existing funds for collective bargaining increases for FY 2011. (Page 13, Line 25)
 - Prohibits bonus pay in FY 2011 for all Executive Branch, Judicial Branch, and Legislative Branch employees, unless permitted by law or required by a collective bargaining agreement. (Page 14, Line 1)
 - Requires the Department of Management (DOM) to apply reductions totaling \$83.8 million to the General Fund operating appropriations of Executive Branch agencies for FY 2011, excluding the Board of Regents. (Page 16, Line 6)
 - Permits the DOM to transfer up to \$5.0 million from the Cash Reserve Fund to offset any appropriation reductions required in this Division. (Page 17, Line 1)
 - Appropriates \$2.3 million from the General Fund to the Department of Administrative Services (DAS) for implementing the government information technology services provisions in SF 2088 (Government Reorganization and Efficiency Act). (Page 17, Line 10)
 - Amends provisions of SF 2088 (Government Reorganization and Efficiency Act) to maintain the State accounting functions in the DAS. Senate File 2088 transferred the responsibilities for the State accounting functions to the DOM. (Page 17, Line 20)
 - Makes technical corrections to various provisions of enacted or pending legislation including effective dates. (Page 18, Line 32 through Page 33, Line 15)

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***DIVISION VII – MISCELLANEOUS
PROVISIONS AND
APPROPRIATIONS***

**MERCHANT MARINE BONUS FUND
APPROPRIATION**

UST FUND APPROPRIATIONS

- Appropriates the balance of the funds from the Merchant Marine Bonus Fund to the Department of Cultural Affairs for costs relating to a study of the U.S.S. Iowa and for Department operating costs. (Page 33, Line 18)
- Appropriates \$150,000 from the UST Fund to the DPH for the Pharmaceutical Collection and Disposal Pilot Program. (Page 34, Line 15)
- Appropriates \$140,000 from the UST Fund to the DAS for costs associated with providing autism spectrum disorders coverage. (Page 34, Line 10)
- Appropriates \$233,000 from the UST Fund to the Board of Regents for the School for the Deaf. (Page 34, Line 15)
- Appropriates \$137,000 from the UST Fund to the Board of Regents for the Braille and Sight Saving School. (Page 34, Line 18)
- Appropriates \$97,000 from the UST Fund to the Department of Education for the Farmers with Disabilities Program. (Page 34, Line 20)
- Appropriates \$1.0 million from the UST Fund to the DHS to partially restore reimbursement rate reductions applied in previous years to adoption, foster care, and supervised apartment living services providers. (Page 35, Line 7)
- Appropriates \$150,000 from the UST Fund to the Insurance Division of the Department of Commerce for establishing the Iowa Insurance Information Exchange. (Page 35, Line 20)
- Appropriates \$90,000 from the UST Fund to the Department of Education for educational purposes on the Sac and Fox Indian Settlement. (Page 36, Line 21)
- Appropriates \$100,000 from the UST Fund to the Department of economic Development to establish a trade office in Taipei, Taiwan. (Page 37, Line 18)

SUPPLEMENTAL APPROPRIATIONS

- Provides an FY 2010 General Fund supplemental appropriation of \$200,000 to the DOM for operational support. Requires the funds to carry forward to FY 2011. (Page 35, Line 31)
- Provides an FY 2010 General Fund supplemental appropriation of \$300,000 and 3.0 FTE positions to the Department of Revenue for costs related to implementing SF 2383 (Debt Collections Act). Requires the funds to carry forward to FY 2011. (Page 35, Line 35)
- Appropriates \$250,000 from the Medicaid Fraud Account to the Department of Inspections and Appeals for costs related to implementing SF 2333 (Dependent Adult Abuse and Hospital Inspections Bill). (Page 37, Line 7)

**MEDICAID FRAUD ACCOUNT
APPROPRIATION**

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**COMMERCE REVOLVING FUND
APPROPRIATION**

**CASH RESERVE FUND
APPROPRIATIONS**

***DIVISION VII – MISCELLANEOUS
PROVISIONS***

- Appropriates \$55,000 and 1.0 FTE position from the Commerce Revolving Fund to the Insurance Division of the Department of Commerce. (Page 37, Line 33)
- Appropriates \$187.8 million from the Cash Reserve Fund to the DHS for the Medical Assistance Program. (Page 38, Line 14)
- Appropriates \$260,000 from the Cash Reserve Fund to the DOM for operational purposes. (Page 38, Line 17)
- Appropriates \$4.0 million from the Cash Reserve Fund to the Department of Education for the Statewide Voluntary Preschool Program for Four-Year-Olds. (Page 38, Line 21)
- Appropriates \$540,000 from the Cash Reserve Fund to the Department of Education for the Jobs for America’s Graduates Program. (Page 38, Line 27)
- Appropriates \$300,000 from the Cash Reserve Fund to the Department of Natural Resources for leases of office space. (Page 38, Line 32)
- Appropriates \$500,000 from the Cash Reserve Fund to the DHS for shelter care. (Page 39, Line 2)
- Appropriates \$2.0 million from the Cash Reserve Fund to the Office of Energy Independence for the Iowa Power Fund. (Page 39, Line 7)
- Appropriates \$4.5 million from the Cash Reserve Fund to the Iowa Finance Authority for rehabilitation of the public service center located in Linn County. (Page 39, Line 10)
- Appropriates \$2.1 million from the Cash Reserve Fund to the Iowa Finance Authority for rehabilitation of the former federal courthouse located in Cedar Rapids. (Page 39, Line 15)
- Transfers \$2.8 million and 34.4 FTE positions appropriated in SF 2367 (Administration and Regulation Appropriations Bill) from the DOM to the DAS to accommodate moving the State accounting functions from the DOM to the DAS. (Page 39, Line 20 through Page 40, Line 1)
- Limits the liability of a railroad company relating to flood damage due to alteration of company structures and facilities. (Page 40, Line 2)
- Allows the Board of Pharmacy to use fees retained by the Board for the Iowa Pharmacy Recovery Network. (Page 40, Line 12)
- Specifies the intent of the General Assembly that appropriations to the Iowa Power Fund be used to encourage renewable biomass projects that produce agricultural inputs such as anhydrous ammonia that replace fossil fuels. (Page 40, Line 16)
- Requires the Board of Regents to conduct a study of the Braille and Sight Saving School and to submit a report with recommendations to the Legislative Council by August 31, 2010. (Page 40, Line 31)
- Permits the City of Cedar Rapids to hold an election on or before August 2, 2011, concerning a proposition relating to a public library property tax levy. (Page 41, Line 22)

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***DIVISION VII – MISCELLANEOUS
PROVISIONS (CONTINUED)***

- Permits counties to transfer moneys from other sources to the county's Mental Health, Mental Retardation, and Developmental Disabilities Services Fund. (Page 42, Line 2)
- Requires the Plumbing and Mechanical System Board to allow a person that has not previously held a license to take the State master licensing examination if the Board deems the work experience to be equivalent to 48 months of experience as a licensed master. This requirement is effective on enactment and is applicable through September 30, 2010. (Page 42, Line 14)
- Requires biennial report fees paid to the Secretary of State be credited to the General Fund and requires a limited liability company that has not filed the biennial report for FY 2008 or FY 2010, to file the report on or before June 30, 2010. (Page 42, Line 27)
- Permits the Iowa Technology and Telecommunications Commission to determine the fiber optic cable capacity to be leased for Part III connections. (Page 43, Line 9)
- Requires public members of the Council on Homelessness to be reimbursed for expenses by the Iowa Finance Authority instead of an appropriation for such purpose. (Page 43, Line 30)
- Expands the use of the Housing Trust Fund to include the Iowa Mortgage Help Initiative. (Page 44, Line 1)
- Creates the Workforce Housing Assistance Grant Fund under the Iowa Finance Authority to provide financial assistance to workforce housing projects. (Page 44, Line 17)
- Requires the Office of Energy Independence to collect data on grants and loans and submit a quarterly report to the Governor and the General Assembly regarding the data collected. Requires the Office to maintain an internet site to permit citizens to track data on a county-by-county basis. (Page 46, Line 4)
- Requires public employers not subject to a local budget certification process to implement impasse procedures no later than 120 days prior to the date of the next fiscal year or budget year. If the specified employers fail to reach an agreement, the Public Employment Relations Board is required to appoint an impartial and disinterested person as mediator. (Page 46, Line 29 through Page 48, Line 23)
- Permits a person to conduct bingo games without a license under certain conditions and removes the bingo license exemption for nonprofit organizations. (Page 48, Line 24)
- Permits a person to purchase raffle tickets by check, money order, or debit card for one raffle conducted by an eligible qualified organization in a calendar year. (Page 48, Line 33)
- Permits Class E liquor license holders to purchase high alcohol content beer from a Class AA beer permit holder. This Section is effective retroactively to March 10, 2010. (Page 49, Line 24)
- Exempts pharmacy technicians and pharmacy technician trainees from meeting examination requirements under certain conditions. (Page 50, Line 8)

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***DIVISION VII – MISCELLANEOUS
PROVISIONS (CONTINUED)***

- Modifies the criteria for an organization to be considered a fair and the criteria that comprises a fair event. (Page 50, Line 27 through Page 51, Line 16)
- Requires the DHS to provide information related to potential risk factors concerning children that are listed in the Sex Offender Registry to individuals providing foster care. (Page 52, Line 3)
- Amends SF 2378 (Justice System Appropriation Bill) to clarify that the judicial fines collected by the State are to be deposited in the Prison Infrastructure Fund until the necessary amount is attained to meet the requirements of funding the debt service obligations on the prison bonds. Requires the next \$9.1 million be deposited in the Public Safety Enforcement Fund. (Page 52, Line 10)
- Requires the Department of Education to collect information on school district expenditures of Secure an Advanced Vision for Education (SAVE) funds and requires the Department submit an annual report to the General Assembly by February 1. (Page 52, Line 24)
- Requires the DOM to pay the annual Midwest Higher Education Compact dues and apportion the costs among various educational entities. (Page 52, Line 32)
- Applies the same penalties currently in place for filing false or frivolous claims for tax refunds to also include false and frivolous claims for tax credits. (Page 54, Line 21)
- Permits money collected through the Debt Settlement Program to be used to pay for salaries, support, maintenance, services, advertising, and other costs incurred by the Office of the State Debt Coordinator. (Page 54, Line 35)
- Authorizes the Department of Natural Resources to sell plant material to other states. (Page 55, Line 16)
- Requires the Water Resources Coordinating Council to develop a marketing campaign to support the formation of an Iowa Chapter of the Association of State Flood Plain Managers and requires the Iowa State University Agricultural Extension Service, the Water Resources Coordinating Council, and agency members of the Council to work with flood plain and hydrology experts to educate the public about flood plains. (Page 55, Line 32 through Page 56, Line 26)
- Provides criteria regarding grandparent and great-grandparent visitation of minor children. (Page 56, Line 27)
- Requires health insurance policies to provide coverage for autism spectrum disorders. (Page 60, Line 23)
- Specifies that genetic testing does not include the routine physical measurement of certain medical tests relating to the Code Chapter pertaining to the Infringement of Individual Rights. (Page 65, Line 4)
- Increases the appropriation from the Gaming Enforcement Revolving Fund to the Department of Public Safety, Division of Criminal Investigation by \$464,000 for FY 2011. Provides a contingent appropriation of \$521,000 and 6.00 FTE positions in the event additional gaming licenses are issued during FY 2011. (Page 65, Line 25 and Page 66, Line 7)

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DIVISION VIII – BICYCLES

***DIVISION IX – RENEWABLE FUELS
AND COPRODUCTS***

***DIVISION X – IDENTIFICATION OF
WORKER MISCLASSIFICATION***

***DIVISION XI – PUBLIC SAFETY
ADVISORY BOARD***

***DIVISION XII –INCOME TAX
CHECKOFFS***

DIVISION XIII –WINE

***DIVISION XIII – MEDICATION
THERAPY MANAGEMENT***

***DIVISION XV AND XVI – UST FUND
AND BONDING AUTHORITY***

- A person that steers a motor vehicle unreasonably close to a person riding a bicycle, or throws an object at a person riding a bicycle, commits a simple misdemeanor and establishes a scheduled fine of \$250. (Page 67, Line 13)
- Requires the Office of Renewable Fuels and Coproducts to consult with the petroleum marketers and convenience stores of Iowa regarding promotion and advertising of renewable fuels and coproducts. (Page 67, Line 30)
- Permits the Department of Revenue and the Department of Workforce Development to share certain taxpayer information for the purpose of identifying misclassified workers. (Page 68, Line 5)
- Creates a Public Safety Advisory Board, assigns duties to the Board, and appropriates \$140,000 and 2.0 FTE positions to the Board from the UST Fund. (Page 69, Line 6 through Page 74, Line 8)
- Reauthorizes the income tax checkoff for the Child Abuse Prevention Program Fund and the joint income tax refund checkoff for the Veterans Trust Fund and the Volunteer Fire Fighter Preparedness Fund. (Page 74, Line 9 through Page 76, Line 17)
- Requires a tax of \$1.75 per gallon to be levied on wine that is shipped direct to a consumer and is not for resale. Requires the revenue collected from shipments in Iowa to be deposited in the Wine Gallonage Tax Fund and the revenue collected from shipments to another state to be deposited in the Beer and Liquor Control Fund. (Page 76, Line 18 through Page 77, Line 33)
- Establishes a Medication Therapy Management pilot program for State employees and appropriates \$543,000 from the Underground Storage Tank Fund to the DAS for the Program. (Page 77, Line 34 through Page 80, Line 30)
- Changes the Code language related to the UST Program and includes the following:
 - Detailed procedures for classification and cleanup of UST sites.
 - Requires fees paid by owners of UST to be deposited in the Storage Tank Account of the Groundwater Protection Fund. Of the amount collected, \$1,000 is appropriated to the Department of Public Health and the remaining funds will be used by the DNR for administration of the UST Program.
 - Requires the DNR to annually enter into an agreement with the UST Fund Board for completion of the administrative tasks.
 - Beginning September 1, 2010, requires the UST Board to provide training related to UST sites and limits expenditures to \$250,000 per year from the UST Fund.
 - Strikes language from the Code related to underground storage tank fees as a revenue source to the UST Fund. Previously, fees were deposited in the UST Fund and the DNR received funding from the Board through a 28E agreement.
 - Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State. (Page 80, Line 31 through Page 95, Line 27)

**EXECUTIVE SUMMARY
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***DIVISION XVII – UNEMPLOYMENT
INSURANCE BENEFITS***

DIVISION XVIII – TERRACE HILL

***DIVISION XIX – HEALTH CARE
PROGRAMS AND
APPROPRIATIONS***

***DIVISION XX – WAIVER OF
PENALTIES AND INTEREST***

- Provides a contingent appropriation of up to \$20.0 million from the Cash Reserve Fund to the Unemployment Trust Fund to prevent the contribution rate table from moving from the current table 4 to the higher rate table 2 for calendar year 2011. Requires any appropriated funds to be repaid under certain conditions. This provision is repealed if the amount needed to prevent moving to contribution rate table 2 is greater than \$20.0 million. (Page 95, Line 30)
 - Appropriates a total of \$432,000 to the DAS (\$168,000 from the Cash Reserve Fund and \$263,000 from the General Fund) to fund Terrace Hill Operations. The funds will be used for maintenance of the Terrace Hill grounds. (Page 97, Line 9 through Page 97, Line 29)
 - Reduces the FY 2011 General Fund appropriation made in SF 2367 (FY 2011 Administration and Regulation Appropriations Bill) to the Governor's Office for Terrace Hill by \$263,000 and 8.12 FTE positions. (Page 97, Line 30)
 - Rewrites the Iowa Code Chapter relating to the IowaCare Provider Network. The changes include, adding Federally Qualified Health Centers (FQHCs) as primary care providers, makes Broadlawns the only primary care provider in Polk County, and makes changes to the use of Certified Public Expenditures (CPE) to draw additional funds for the University of Iowa Hospitals and Clinics (UIHC). (Page 98, Line 5)
 - Appropriates \$2.0 million from the IowaCare Account for salaries and support of the IowaCare Program at the UIHC. (Page 101, Line 15)
 - Deappropriates a \$2.0 million appropriation from the IowaCare Account to the IowaCare Nonparticipating Provider Reimbursement Fund. (Page 101, Line 25)
 - Appropriates \$39.4 million from the Hospital Health Care Access Trust Fund to the DHS for the Medicaid Program. (Page 102, Line 1)
 - Appropriates \$594,000 from the Hospital Health Care Access Trust Fund to the DHS for the Nonparticipating Provider Reimbursement Fund. (Page 102, Line 14)
 - Appropriates \$2.0 million from the Nonparticipating Provider Reimbursement Fund to the DHS to reimburse nonparticipating providers. (Page 102, Line 18)
 - Reduces the General Fund Medicaid Appropriation in SF 2526 by \$18.9 million for FY 2011. (Page 102, Line 29)
 - Waives the application of penalty and interest charged to taxpayers that filed Iowa 2008 income tax returns claiming a 2008 disaster casualty loss deduction that was not allowed under Iowa tax law. Applies only to penalty and interest charges. Refunds to the taxpayer penalty and interest already paid. This provision is effective on enactment and applies only to tax year 2008. (Page 103, Line 13)
- FISCAL IMPACT: The estimated fiscal impact is a reduction in General Fund receipts of approximately \$100,000 in FY 2010 and \$112,000 in FY 2011.

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***EFFECTIVE DATES AND
RETROACTIVE APPLICABILITY***

- The Section that deposits federal Veterans Affairs construction funding in the General Fund for the medical clinic expenditures is effective on enactment and applies retroactively to July 1, 2009. (Page 10, Line 7)
- The Section creating the Property Tax Credit Fund is effective on enactment. (Page 10, Line 13)
- The provision that allows the carryforward of unobligated funds from the FY 2010 Cash Reserve Fund appropriation to the Executive Council is effective on enactment. (Page 10, Line 13)
- Provides numerous effective dates for Section of Division VI that make technical corrections to other legislation. (Page 31, Line 29 through Page 33, Line 15)
- The Section relating to the licensing of pharmacy technicians is effective on enactment and applies retroactively to January 1, 2010. (Page 66, Line 18)
- The Section providing FY 2010 General Fund supplemental appropriations is effective on enactment. (Page 66, Line 26)
- The Section relating to the purchase of high alcohol content beer is effective on enactment and applies retroactively to March 10, 2010. (Page 66, Line 31)
- The Section making changes to the State Debt Coordinator's Office takes effect on the effective date of SF 2383 (Debt Collections Act) which is January 1, 2011. (Page 67, Line 2)
- The Section relating to grants and loans from the Iowa Power Fund is effective on enactment (Page 67, Line 6)
- Division X, relating to misclassified workers, is effective on enactment. (Page 68, Line 5)
- Division XII, relating to income tax checkoffs, is effective retroactively to January 1, 2010. (Page 76, Line 15)
- Division XIV, relating to Medication Therapy Management, is effective on enactment. (Page 80, Line 28)
- The Section relating to minimum a copayment schedule for underground storage tanks, is effective on enactment. (Page 90, Line 21)
- Division XVI, relating to bonding authority for underground storage tanks, is effective on enactment. (Page 95, Line 25)
- Division XX, Waivers of Penalties and interest on disaster losses, is effective retroactively to January 1, 2009. (Page 103, Line 31)
- This Bill was approved by the General Assembly on March 30, 2010.

ENACTMENT DATE

House File 2531 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	1	Nwthstnd	Sec. 331.439(3)	Mental Health Growth Factor
2	11	4	Nwthstnd	Various	Standing Appropriation Requirements and Limitations
3	28	5.2	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Requirements
4	28	6	Nwthstnd	Sec. 257.20(3)	Allocation of Instructional Support
5	13	8.1(c)	Nwthstnd	Sec. 8.56(3 & 4)	Cash Reserve Fund Requirements
8	23	11	Nwthstnd	Sec. 8.56(3 & 4)	Cash Reserve Fund Requirements
8	27	12	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Fund Appropriation Requirement
8	32	13	Amends	Sec. 257.35(5)	Area Education Agency State Aid Reduction
9	10	14	Amends	Sec. 426B(2 & 3)	Property Tax Relief Fund
9	33	15	Adds	Sec. 10, Chap. 179, 2009 Iowa Acts	FY 2010 Performance of Duty Appropriation
15	24	26	Amends	Sec. 14.7, Chap. 1191, 2008 Iowa Acts	Chief Information Officer
17	22	30	Amends	Sec. 8A.502(1)	Centralized Payroll System
17	31	31	Adds	Sec. 8A.502(8A)	Budget Database
17	35	32	Repeals	Sec. 11.5B(16)	Auditor Reimbursement
18	3	33	Amends	Sec. 233, SF 2088, 2010 Iowa Acts	Centralized Payroll System
18	22	34	Amends	Sec. 234, SF 2088, 2010 Iowa Acts	State Accounting Functions
18	30	35	Repeals	Sec. 175 - 232, SF 2088, 2010 Iowa Acts	State Accounting Functions
18	34	36	Amends	Sec. 2.69(3), SF 2088, 2010 Iowa Acts	Technical Correction
19	11	37	Amends	Sec. 16.181A(1), SF 2389, 2010 Iowa Acts	Technical Correction
19	19	38	Amends	Sec. 46.3(3), SF 2343, 2010 Iowa Acts	Technical Correction
19	24	39	Amends	Sec. 97D.4(2)	Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
19	35	40	Amends	Sec. 123.43A(1), SF 2088, 2010 Iowa Acts	Technical Correction
20	5	41	Amends	Sec. 162.10D(2), SF 2088, 2010 Iowa Acts	Technical Correction
20	14	42	Amends	Sec. 216A.113(1), SF 2088, 2010 Iowa Acts	Technical Correction
20	25	43	Amends	Sec. 216C.9(1), SF 2202, 2010 Iowa Acts	Technical Correction
21	1	44	Amends	Sec. 256.51(1)(a), SF 2088, 2010 Iowa Acts	Technical Correction
21	7	45	Amends	Sec. 256F.3(1), SF 2033, 2010 Iowa Acts	Technical Correction
21	18	46	Amends	Sec. 256F.6(3)	Technical Correction
21	23	47	Amends	Sec. 260C.44, SF 2340, 2010 Iowa Acts	Technical Correction
22	17	48	Amends	Sec. 298.4(2), SF 2237, 2010 Iowa Acts	Technical Correction
22	24	49	Amends	Sec. 317.1, SF 2340, 2010 Iowa Acts	Technical Correction
23	1	50	Amends	Sec. 321J.2(3)(d)(1&2), SF 431, 2010 Iowa Acts	Technical Correction
23	29	51	Amends	Sec. 336.4, SF 2088, 2010 Iowa Acts	Technical Correction
24	4	52	Amends	Sec. 421C.2(8)(b), SF 2383, 2010 Iowa Acts	Technical Correction
24	12	53	Amends	Sec. 435.26B(1)(c), SF 2199, 2010 Iowa Acts	Technical Correction
24	20	54	Amends	Sec. 455B.104(4), SF 2088, 2010 Iowa Acts	Technical Correction
24	30	55	Amends	Sec. 476.53(2)(a), HF 2399, 2010 Iowa Acts	Technical Correction
25	5	56	Amends	Sec. 489.116(4)	Technical Correction
25	14	57	Amends	Sec. 489.1005(2)	Technical Correction
25	29	58	Amends	Sec. 489.1009(3)	Technical Correction
26	10	59	Amends	Sec. 489.1013(2)	Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
26	26	60	Amends	Sec. 508C.3(1)(b)(2)(d), SF 2272, 2010 Iowa Acts	Technical Correction
26	35	61	Amends	Sec. 514C.26(1)(c)(2)(j), HF 2075, 2010 Iowa Acts	Technical Correction
27	10	62	Amends	Sec. 543B.29(1)(e)(2), SF 2326, 2010 Iowa Acts	Technical Correction
27	22	63	Amends	Sec. 562A.29A(1)(b), SF 2300, 2010 Iowa Acts	Technical Correction
27	28	64	Amends	Sec. 685.6(9)(d), SF 2088, 2010 Iowa Acts	Technical Correction
28	8	65	Amends	Sec. 692A.102(1)(c)(30), 2009 Code Supplement	Technical Correction
28	15	66	Amends	Sec. 805.6(3)(a), SF 2340, 2010 Iowa Acts	Technical Correction
29	4	67	Amends	Sec. 805.6(7), SF 2340, 2010 Iowa Acts	Technical Correction
29	10	68	Amends	Sec. 901A.1(1)(c)	Technical Correction
29	14	69	Amends	Sec. 476.53(3)(a)(1)	Technical Correction
29	29	70	Amends	Sec. 907.3(3)(c), SF 431, 2010 Iowa Acts	Technical Correction
30	6	71	Amends	Sec. 18.4(a), SF 2237, 2010 Iowa Acts	Technical Correction
31	5	72	Amends	Sec. 16, SF 2366, 2010 Iowa Acts	Technical Correction
31	15	73	Amends	Sec. 23.2, SF 2366, 2010 Iowa Acts	Technical Correction
31	23	74	Repeals	Sec. 25, HF 2280, 2010 Iowa Acts	Technical Correction
31	25	75	Repeals	Sec. 3, HF 2452, 2010 Iowa Acts	Technical Correction
31	27	76	Repeals	Sec 117, SF 2340, 2010 Iowa Acts	Technical Correction
33	18	82	Nwthstnd	Sec. 8.33	Nonreversion of Merchant Marine Bonus Fund Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
33	32	83	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund Appropriations
34	24	83.4	Nwthstnd	Sec. 8.33	Nonreversion of Appropriated Funds
36	16	84	Nwthstnd	Sec. 8.33	Nonreversion of Supplemental Appropriations
36	21	85	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund
37	18	88	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund
41	22	98	Nwthstnd	Sec. 384.12(1 and 21)	Public Library Support Levy
42	2	99	Nwthstnd	Sec. 331.424A(5) and 331.432(3)	County Mental Health Fund Transfer
42	14	100	Nwthstnd	Sec. 105.18(2)(c)(3)	Plumbing and Mechanical System Board
43	9	102	Amends	Sec. 8D.13(5)	Fiber Optic Cable Capacity
43	30	103	Amends	Sec. 16.100A(6)(d), 2009 Code Supplement	Council on Homelessness Reimbursements
44	1	104	Amends	Sec. 16.181(1)(a), 2009 Code Supplement	Iowa Mortgage Help Initiative
44	17	105	Adds	Sec. 16.188	Workforce Housing Assistance Grant Fund
46	4	106	Adds	Sec. 469.9(4A)	Iowa Power fund Data
46	29	107	Amends	Sec. 20.19	Impasse Procedures
47	28	108	Amends	Sec. 20.20	Mediation
48	24	109	Amends	Sec. 99B.12A	Specific Gambling License Exemptions
48	33	110	Amends	Sec. 99B.17	Forms of Payment for Raffle Tickets
49	24	111	Amends	Sec. 123.30(3)(e)(1), 2009 Code Supplement	High Alcohol Beer Content
50	8	112	Amends	Sec. 155A.6A(3)	Pharmacy Technicians
50	27	113	Amends	Sec. 174.1(2)(b and c)	Definition of County Fair
50	35	114	Amends	Sec. 174.1(3)	Definition of Fair Event
51	17	115	Amends	Sec. 237.3(2)(f), 2009 Code Supplement	Child Foster Care Facilities
52	3	116	Amends	237.3(2)(k)(1), 2009 Code Supplement	Foster Care Placement
52	10	117	Amends	Sec. 20.1, SF 2378, 2010 Iowa Acts	Judicial Fines
52	24	118	Amends	Sec. 256.9	Department of Education Financial Reporting
52	32	119	Adds	Sec. 261D.4	Midwest Higher Education Compact Dues
53	11	120	Amends	Sec. 291.10	Department of Education Financial Reports

Page #	Line #	Bill Section	Action	Code Section	Description
53	21	121	Adds	Sec. 314.17	Mowing on Interstates
53	30	122	Amends	Sec. 321.18	Vehicle Registration Trailer Exemption
54	8	123	Amends	Sec. 321.482A	Motor Vehicle Violations
54	21	124	Amends	Sec. 421.27(6)	Department of Revenue Penalties
54	35	125	Amends	Sec. 421C.3(15)	State Debt Settlement Program
55	16	126	Amends	Sec. 455A.13	State Nurseries
55	32	127	Amends	Sec. 466B.4(2)	Water Resources Coordinating Council
56	13	128	Adds	Sec. 466B.12	State Flood Plain Managers
56	19	129	Adds	Sec. 466B.13	Flood Plain Education
56	27	130	Amends	Sec. 600C.1(1)	Grandparent and Great-Grandparent Visitation
56	35	130	Amends	Sec. 600C.1(2)	Grandparent and Great-Grandparent Visitation
57	5	130	Amends	Sec. 600C.1(3)	Grandparent and Great-Grandparent Visitation
57	32	130	Amends	Sec. 600C.1(4)	Grandparent and Great-Grandparent Visitation
58	35	130	Amends	Sec. 600C.1(5)	Grandparent and Great-Grandparent Visitation
59	11	130	Amends	Sec. 600C.1(6)	Grandparent and Great-Grandparent Visitation
59	21	130	Amends	Sec. 600C.1(7)	Grandparent and Great-Grandparent Visitation
59	25	130	Amends	Sec. 600C.1(8)	Grandparent and Great-Grandparent Visitation
60	2	130	Amends	Sec. 600C.1(9)	Grandparent and Great-Grandparent Visitation
60	8	130	Amends	Sec. 600C.1(10)	Grandparent and Great-Grandparent Visitation
60	10	130	Amends	Sec. 600C.1(11)	Grandparent and Great-Grandparent Visitation
60	15	130	Amends	Sec. 600C.1(12)	Grandparent and Great-Grandparent Visitation
60	18	130	Amends	Sec. 600C.1(13)	Grandparent and Great-Grandparent Visitation
60	23	131	Adds	Sec. 514C.26	Autism Spectrum Disorder
64	35	132	Adds	Sec. 729.6(1)	Generic Testing
65	4	133	Amends	Sec. 729.6(1)(c)	Genetic Testing Definition
65	15	134	Amends	Sec. 11.24(b), HF 2526, 2010 Iowa Acts	Medicaid Family Planning Waiver
65	25	135	Amends	Sec. 15, SF 2378, 2010 Iowa Acts	Gaming Enforcement Revolving Fund
66	16	136	Repeals	Sec. 6, HF 2525, 2010 Iowa Acts	State Park Volunteer and Intern Programs
67	13	143	Adds	Sec. 321.281(1-3)	Actions Against Bicyclists
67	23	144	Adds	Sec. 805.8A(14)(k), 2009 Code Supplement	Fine for Actions Against Bicyclists
67	30	145	Amends	Sec. 159A.6(1)	Renewable Fuels and Coproducts

Page #	Line #	Bill Section	Action	Code Section	Description
68	5	146	Adds	Sec. 421.17, 2009 Code Supplement	Identification of Worker Classification
68	18	147	Amends	Sec. 422.20(3a)	Tax Return Information
68	28	148	Amends	Sec. 422.72(3a)	Tax Return Information
69	8	150	Nwthstnd	Sec. 455G.3	Underground Storage Tank Fund Requirements
69	23	151	Adds	Sec. 216A.131	Public Safety Advisory Board
69	27	152	Amends	Sec. 216A.132	Criminal and Juvenile Justice Advisory Council
71	15	153	Amends	Sec. 216A.133(1)	Criminal and Juvenile Justice Advisory Council
71	21	154	Adds	Sec. 216A.133(8-11)	Criminal and Juvenile Justice Advisory Council
71	32	155	Adds	Sec. 216A.133A	Public Safety Advisory Board
73	28	156	Amends	Sec. 216A.135	Criminal and Juvenile Justice Plan and Report
74	11	158	Amends	Sec. 235A.2(1)	Child Abuse Prevention Program Fund
74	22	159	Adds	Sec. 422.12F	Income Tax Checkoff
75	17	160	Adds	Sec. 422.12G	Income Tax Refund Checkoff
76	12	161	Repeals	Sec. 422.12L	Technical Correction
76	13	162	Repeals	Sec. 422.12K 2009 Code Supplement	Technical Correction
76	20	164	Amends	Sec. 123.183	Direct Shipment of Wine - Tax
77	20	165	Amends	Sec. 100, SF 2088, 2010 Iowa Acts	Remittance of Wine Gallonage Tax
80	18	167	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund Requirements
80	34	169	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
81	5	170	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
81	14	171	Amends	Sec. 455B.474(1)(d)(2)	Certified Goundwater Professional
81	21	172	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
82	24	173	Amends	Sec. 455B.474(1)(f)(5-7), 2009 Code Supplement	Department of Natural Resources Report
84	2	174	Amends	Sec. 455B.474(1)(h)(1 and 3), 2009 Code Supplement	Department of Natural Resources Report
84	31	175	Amends	Sec. 455B.479	Storage Tank Management Fee
85	8	176	Amends	Sec. 455E.11(2)(d), 2009 Code Supplement	Underground Storage Tank Fees

Page #	Line #	Bill Section	Action	Code Section	Description
86	9	177	Adds	Sec. 455G.3(6)	Appropriation for Review of Underground Storage Tank Sites
86	18	177	Adds	Sec. 455G.3(7)	Appropriation for Database Modifications
86	25	177	Adds	Sec. 455G.3(8)	Appropriation for Motor Fuel Inspections
86	33	177	Adds	Sec. 455G.3(9)	Underground Storage Tank Board Requirement
87	10	178	Amends	Sec. 455G.4(1)(a)(3 and 5), 2009 Code Supplement	Underground Storage Tank Risk Manager
87	31	179	Repeals	Sec. 455G.8(3)	Underground Storage Tank Fees
87	33	180	Amends	Sec. 455G.9(1)(d,k, and l)	Underground Storage Tank Remedial Program
89	1	181	Amends	Sec. 455G.9(4)	Minimum Copayment Schedule
89	22	182	Amends	Sec. 455G.9(7)	Cleanup Expense Reimbursement
90	3	183	Amends	Sec. 455G.9(10)	Public Works Utilities
90	28	185	Repeals	Sec. 455.2(1)	Underground Storage Tank Definitions
90	30	186	Amends	Sec. 455G.2(3)	Treasurer of State Reference
90	35	187	Amends	Sec. 455G.3	Treasurer of State Reference
91	9	188	Amends	Sec. 455G.6(7-9), 2009 Code Supplement	Treasurer of State Reference
92	17	189	Amends	Sec. 455G.6(10)(b), 2009 Code Supplement	Treasurer of State Reference
92	24	190	Amends	Sec. 455G.6(12), 2009 Code Supplement	Treasurer of State Reference
92	32	191	Amends	Sec. 455G.7	Treasurer of State Reference
95	11	192	Amends	Sec. 455G.8(2)	Treasurer of State Reference
95	21	193	Repeals	Sec. 16.151	Iowa Finance Authority Assistance with Underground Storage Tank Board
95	22	194	Repeals	Sec. 39, Chap. 184, 2009 Iowa Acts	Underground Storage Tank Bond Provisions
96	28	197	Amends	Sec. 96.7(2)(d)(1), 2009 Code Supplement	Unemployment Trust Fund
98	7	201	Amends	Sec. 249J.7	IowaCare Provider Network
101	1	202	Repeals	Sec. 5, SF 2156, 2010 Iowa Acts	IowaCare Program Provisions
101	3	203	Repeals	Sec. 2, SF 2356, 2010 Iowa Acts	IowaCare Program Provisions

Page #	Line #	Bill Section	Action	Code Section	Description
101	5	204	Amends	Sec. 11.13, HF 2526, 2010 Iowa Acts	University of Iowa Hospital and Clinics
101	15	205	Amends	Sec. 41.3, HF 2526, 2010 Iowa Acts	University of Iowa Hospital and Clinics
101	25	206	Repeals	Sec. 41.6, HF 2526, 2010 Iowa Acts	Nonparticipating Provider Reimbursement IowaCare
103	13	211	Nwthstnd	Sec. 421.8, 421.27 and 422.25	Disasater Related Losses

1 1 DIVISION I

1 2 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING == FY 2011=2012

1 3 Section 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING ==

1 4 FY 2011=2012. Notwithstanding section 331.439, subsection

1 5 3, the allowed growth factor adjustment for county mental

1 6 health, mental retardation, and developmental disabilities

1 7 service expenditures for the fiscal year beginning July 1,

1 8 2011, shall be established by statute which shall be enacted

1 9 within thirty calendar days of the convening of the

1 10 Eighty=fourth General Assembly, 2011 Session, on January 10,

1 11 2011. The governor shall submit to the general assembly a

1 12 recommendation for such allowed growth factor adjustment and

1 13 the amounts of related appropriations to the general assembly

1 14 on or before January 11, 2011.

CODE: Requires the FY 2012 allowed growth appropriation adjustment for mental health services be established within the first 30 days of the 2011 Legislative Session. Requires the Governor to submit a recommendation for the allowed growth factor adjustment to the General Assembly by January 11, 2011.

1 15 DIVISION II

1 16 STANDING APPROPRIATIONS

1 17 AND RELATED MATTERS

1 18 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2011=2012.

1 19 1. For the budget process applicable to the fiscal year

1 20 beginning July 1, 2011, on or before October 1, 2010, in lieu

1 21 of the information specified in section 8.23, subsection 1,

1 22 unnumbered paragraph 1, and paragraph "a", all departments and

1 23 establishments of the government shall transmit to the director

1 24 of the department of management, on blanks to be furnished by

1 25 the director, estimates of their expenditure requirements,

1 26 including every proposed expenditure, for the ensuing fiscal

1 27 year, together with supporting data and explanations as called

1 28 for by the director of the department of management after

1 29 consultation with the legislative services agency.

1 30 2. The estimates of expenditure requirements shall be

1 31 in a form specified by the director of the department of

1 32 management, and the expenditure requirements shall include all

Requires State agencies to submit the FY 2012 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) regarding supporting data. Requires expenditures to be prioritized by program or by results expected to be achieved. Requires performance measures to be included with the budget information.

1 33 proposed expenditures and shall be prioritized by program or
 1 34 the results to be achieved. The estimates shall be accompanied
 1 35 by performance measures for evaluating the effectiveness of the
 2 1 programs or results.

2 2 Sec. 3. GENERAL ASSEMBLY.

2 3 1. The appropriations made pursuant to section 2.12 for the
 2 4 expenses of the general assembly and legislative agencies for
 2 5 the fiscal year beginning July 1, 2010, and ending June 30,
 2 6 2011, are reduced by the following amount:

2 7 \$ 5,939,790

2 8 2. The budgeted amounts for the general assembly for the
 2 9 fiscal year beginning July 1, 2010, may be adjusted to reflect
 2 10 unexpended budgeted amounts from the previous fiscal year.

Reduces the FY 2011 standing appropriation for the Legislative Branch by \$5,939,790. Permits the General Assembly to adjust the FY 2011 budget to reflect any unexpended funds from the FY 2010 budget.

DETAIL: The General Assembly's FY 2011 budget is estimated at \$36,009,827. This language reduces the FY 2011 budget to \$30,070,037 and represents no change compared to estimated net FY 2010.

2 11 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.

2 12 Notwithstanding the standing appropriations in the following
 2 13 designated sections for the fiscal year beginning July 1, 2010,
 2 14 and ending June 30, 2011, the amounts appropriated from the
 2 15 general fund of the state pursuant to these sections for the
 2 16 following designated purposes shall not exceed the following
 2 17 amounts:

CODE: Limits selected standing appropriations to specified amounts.

2 18 1. For operational support grants and community cultural
 2 19 grants under section 99F.11, subsection 3, paragraph "d",
 2 20 subparagraph (1):

2 21 \$ 443,300

Limits the General Fund appropriation to the Department of Cultural Affairs for operational support grants and community cultural grants to \$443,300.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$76,700 compared to the standing appropriation of \$520,000. Code Section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the Department of Cultural Affairs.

2 22 2. For regional tourism marketing under section 99F.11,
 2 23 subsection 3, paragraph "d", subparagraph (2):

Limits the General Fund appropriation to the Department of Economic Development for regional tourism marketing to \$862,028.

2 24 \$ 862,028

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$241,972 compared to the FY 2011 estimated standing appropriation of \$1,104,000. Code Section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the Department of Economic Development for regional tourism marketing.

2 25 3. For the center for congenital and inherited disorders
 2 26 central registry under section 144.13A, subsection 4, paragraph
 2 27 "a":
 2 28 \$ 182,044

Limits the FY 2011 General Fund appropriation to the Department of Public Health for the Center for Congenital and Inherited Disorders Central Registry to \$182,044.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$50,456 compared to the FY 2011 estimated standing appropriation of \$232,500. The standing appropriation is based on an amount equal to \$10.00 of each birth certificate registration.

2 29 4. For primary and secondary child abuse prevention
 2 30 programs under section 144.13A, subsection 4, paragraph "a":
 2 31 \$ 217,772

Limits the FY 2011 General Fund appropriation to the Department of Human Services for Primary and Secondary Child Abuse Prevention Programs to \$217,772.

DETAIL: This is an increase of \$43,696 compared to estimated net FY 2010 and a decrease of \$14,728 compared to the FY 2011 estimated standing appropriation of \$232,500. The standing appropriation is based on an amount equal to \$10.00 of each birth certificate registration.

2 32 5. For programs for at-risk children under section 279.51:
 2 33 \$ 11,493,891
 2 34 The amount of any reduction in this subsection shall be
 2 35 prorated among the programs specified in section 279.51,
 3 1 subsection 1, paragraphs "a", "b", and "c".

Limits the FY 2011 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$11,493,891.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$1,112,305 compared to the FY 2011 standing appropriation. The child development standing appropriation is established in Code Section 279.51 at \$12,606,196.

3 2 6. For payment for nonpublic school transportation under

Limits the FY 2011 General Fund appropriation to the Department of

<p>3 3 section 285.2: 3 4 \$ 7,060,931 3 5 If total approved claims for reimbursement for nonpublic 3 6 school pupil transportation exceed the amount appropriated in 3 7 accordance with this subsection, the department of education 3 8 shall prorate the amount of each approved claim.</p>	<p>Education for nonpublic school transportation to \$7,060,931. Requires the appropriation to be prorated if the claims exceed the appropriation.</p> <p>DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$2,139,069 compared to the FY 2011 estimated standing appropriation of \$9,200,000.</p>
<p>3 9 7. For mental health, mental retardation, and developmental 3 10 disabilities services property tax relief under section 426B.1, 3 11 subsection 2, as amended in this division of this Act: 3 12 \$ 81,199,911</p>	<p>Limits the FY 2011 General Fund appropriation for the Property Tax Relief Fund to \$81,199,911.</p> <p>DETAIL: The Property Tax Relief Fund provides State funding for county mental health, mental retardation, and developmental disabilities services. This is a decrease of \$13,800,089 compared to the FY 2011 standing appropriation of \$95,000,000. For FY 2010, the Property Tax Relief Fund received General Fund appropriations totaling \$83,879,911, including \$73,399,911 in HF 820 (FY 2010 Federal Funds Act) and \$10,480,000 in SF 2151 (FY 2010 Supplemental Appropriations Act).</p>
<p>3 13 8. For the enforcement of chapter 453D relating to tobacco 3 14 product manufacturers under section 453D.8: 3 15 \$ 19,591</p>	<p>Limits the FY 2011 General Fund appropriation to the Department of Revenue for financial obligation enforcement of tobacco product manufacturers to \$19,591.</p> <p>DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$5,409 compared to the standing appropriation of \$25,000.</p>
<p>3 16 9. For the Iowa power fund under section 469.10, subsection 3 17 1: 3 18 \$ 19,600,000</p>	<p>Limits the FY 2011 General Fund appropriation to the Office of Energy Independence for the Iowa Power Fund to \$19,600,000.</p> <p>DETAIL: This is a decrease of \$2,000,000 compared to estimated net FY 2010 and a decrease of \$5,400,000 compared to the standing appropriation of \$25,000,000.</p> <p>NOTE: Section 90.6 of this Bill appropriates \$2,000,000 from the Underground Storage Tank Fund to the Iowa Power Fund.</p>

3 19 Sec. 5. STATE FOUNDATION AID FOR SCHOOLS == FY 2010=2011.
 3 20 1. Notwithstanding the standing appropriation in section
 3 21 257.16, subsection 1, for state foundation aid for the fiscal
 3 22 year beginning July 1, 2010, and ending June 30, 2011, the
 3 23 amount appropriated from the general fund of the state pursuant
 3 24 to that section for the following designated purpose shall not
 3 25 exceed the following amount:
 3 26 For state foundation aid under section 257.16, subsection 1:
 3 27 \$2,499,157,875

CODE: Limits the FY 2011 General Fund appropriation for State School Foundation Aid.

DETAIL: For FY 2010, State School Foundation Aid received appropriations totaling \$2,349,004,670. This includes: \$2,146,457,965 from the General Fund, after the 10.00% across-the-board reduction, and \$202,546,705 from federal stimulus funds.

For FY 2011, the State School Foundation Aid appropriation is limited to \$2,499,157,875 and includes: \$2,446,110,078 from the General Fund, \$5,100,000 from the Underground Storage Tank Fund, and \$47,947,797 from federal stimulus funds. The overall funding for State School Foundation Aid in FY 2011 represents an increase of \$151,153,205 compared to the total appropriations for FY 2010.

The FY 2011 State School Foundation Aid total is estimated to be \$162,042,125 less than the amount needed to fully fund State School Foundation Aid for FY 2011. Of that amount, \$159,642,125 will be applied to school districts and \$2,500,000 will be applied to area education agencies. The area education agency (AEA) reduction is addressed in Section 13 of this Bill.

NOTE: House File 2519 (FY 2011 Block Grant Bill) appropriates a total of \$47,947,797 from federal stimulus funds in lieu of an equal amount of General Fund money appropriated in this Bill. Section 5.2 of this Bill appropriates \$5,100,000 from the Underground Storage Tank Fund in lieu of an equal amount of General Fund money for FY 2011 State School Foundation Aid.

3 28 2. There is appropriated from the Iowa comprehensive
 3 29 petroleum underground storage tank fund for state foundation
 3 30 aid for the fiscal year beginning July 1, 2010, and ending
 3 31 June 30, 2011, the following amount, or so much thereof as is
 3 32 necessary to be used for the purposes designated:
 3 33 In lieu of an equal amount appropriated from the general
 3 34 fund for state foundation aid under section 257.16, subsection
 3 35 1, as limited by subsection 1 of this section, notwithstanding
 4 1 section 455G.3, subsection 1:
 4 2 \$ 5,100,000

CODE: Underground Storage Tank Fund appropriation for State School Foundation Aid in lieu of an equal amount of funds appropriated from the General Fund. This provision notwithstanding the requirements for the use of funds from the Underground Storage Tank Fund.

DETAIL: This provision reduces the General Fund appropriation in Section 5.1 of this Bill by \$5,100,000.

4 3 3. a. Of the amount designated in this section for state
 4 4 foundation aid, \$314,894,787 is allocated for the teacher
 4 5 salary supplements, the professional development supplements,
 4 6 and the early intervention supplement in accordance with
 4 7 section 257.10, subsections 9 through 11, and section 257.37A.
 4 8 The department of management may adjust the amount allocated
 4 9 pursuant to this subsection in order to reflect any differences
 4 10 resulting from the budget certification process.

Allocates \$314,894,787 from the State School Foundation Aid appropriation for teacher salary, professional development, and early intervention supplements.

DETAIL: The LSA estimates for each of the State categorical supplements in FY 2011 are as follows:

- Teacher Salary Supplement: \$256,044,957
- Professional Development Supplement: \$29,041,992
- Early Intervention Supplement: \$29,807,838

4 11 b. If the remaining balance of the moneys designated in
 4 12 subsection 1, after the allocation made in paragraph "a" is
 4 13 less than the amount required to pay the remainder of state
 4 14 foundation aid pursuant to section 257.16, subsection 1, the
 4 15 difference shall be deducted from the payments to each school
 4 16 district in the manner provided in section 257.16, subsection
 4 17 4.

Requires a proration to each school district of remaining funds from the appropriation, if it is not adequate to pay the remainder of the State School Foundation Aid. Prohibits reduction of the allocation made for the State categorical supplements.

4 18 Sec. 6. INSTRUCTIONAL SUPPORT STATE AID == APPROPRIATION.
 4 19 In lieu of the appropriation provided in section 257.20, there
 4 20 is appropriated from the school infrastructure fund created in
 4 21 section 12.82, subsection 1, to the department of education for
 4 22 the fiscal year beginning July 1, 2010, and ending June 30,
 4 23 2011, the following amount, or so much thereof as is necessary,
 4 24 to be used for the purposes designated:
 4 25 For paying instructional support state aid for fiscal year
 4 26 2010=2011:
 4 27 \$ 7,500,000

School Infrastructure Fund appropriation to be used in lieu of General Fund dollars for the FY 2011 Instructional Support State Aid.

DETAIL: This represents a decrease of \$5,603,950 in funding compared to estimated net FY 2010. In FY 2010, the Instructional Support State Aid received an appropriation of \$13,103,950 from the American Recovery and Reinvestment Act (ARRA) Education Fiscal Stabilization funds. The estimated FY 2011 standing appropriation for Instructional Support State aid is \$14,800,000.

4 28 Notwithstanding section 257.20, subsection 3, the
 4 29 appropriation made in this lettered paragraph shall be
 4 30 allocated in the same manner as the allocation of the
 4 31 appropriation was made for the same purpose in the previous

CODE: Requires the FY 2011 Instructional Support State Aid allocations to be made in the same manner as the FY 2010 allocations.

4 32 fiscal year.

4 33 Sec. 7. VETERANS HOME MEDICAL CLINIC. Of moneys received
 4 34 on or after July 1, 2009, by the Iowa veterans home from
 4 35 the federal government relating to the costs to improve and
 5 1 renovate a medical clinic at the home in a previous fiscal
 5 2 year, the first \$727,000 shall be credited to the general fund
 5 3 of the state on or after July 1, 2010.

Requires the first \$727,000 in matching funds received from the federal Veterans Administration for improvements to the Medical Clinic at the Iowa Veterans Home be credited to the General Fund after July 1, 2009.

DETAIL: The federal Veterans Administration matches 65.00% and the State portion is 35.00% of construction costs. The State funds 100.00% of the cost up front and is reimbursed by the federal Veterans Administration on completion of the project.

NOTE: This Section is effective on enactment and is applicable retroactively to July 1, 2009.

5 4 Sec. 8. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF
 5 5 GENERAL FUND REIMBURSEMENT.

5 6 1. a. A property tax credit fund shall be created in the
 5 7 office of the treasurer of state to be used for the purposes of
 5 8 this section.

Creates a Property Tax Credit Fund within the Office of the Treasurer of State for FY 2011.

NOTE: This provision is effective on enactment.

5 9 b. There is appropriated from the general fund of the state
 5 10 to the property tax credit fund created in paragraph "a" for
 5 11 the fiscal year beginning July 1, 2010, and ending June 30,
 5 12 2011, the sum of \$91,256,037.

Appropriates \$91,256,037 from the General Fund for FY 2011 to the Property Tax Credit Fund.

DETAIL: This represents the same level of funding for the Property Tax Credit Fund that was appropriated in FY 2010.

5 13 c. Notwithstanding the requirements in section 8.56,
 5 14 subsections 3 and 4, there is appropriated from the cash
 5 15 reserve fund to the property tax credit fund created in
 5 16 paragraph "a" for the fiscal year beginning July 1, 2010, and
 5 17 ending June 30, 2011, the sum of \$54,684,481.

CODE: Appropriates \$54,684,481 from the Cash Reserve Fund for FY 2011 to the Property Tax Credit Fund.

DETAIL: This represents the same level of funding for the Property Tax Credit Fund that was appropriated in FY 2010.

5 18 d. Notwithstanding section 8.33, the surplus existing

CODE: Requires any unobligated funds remaining at the end of FY

5 19 in the property tax credit fund created pursuant to 2009
 5 20 Iowa Acts, chapter 179, section 9, at the conclusion of the
 5 21 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 5 22 is transferred to the property tax credit fund created in
 5 23 paragraph "a".

2010 in the Property Tax Credit Fund to carry forward to FY 2011.

DETAIL: The estimated ending balance in the Property Tax Credit Fund for FY 2010 is \$12,526.

5 24 2. In lieu of the appropriations in the following designated
 5 25 sections, for the fiscal year beginning July 1, 2010, and
 5 26 ending June 30, 2011, there is appropriated from the property
 5 27 tax credit fund the following amounts for the following
 5 28 designated purposes:

Provides appropriations from the Property Tax Credit Fund for FY 2011 in lieu of General Fund appropriations for the following tax credits:

- Homestead Tax Credit: The estimated General Fund standing appropriation to fully fund the Homestead Tax Credit is \$136,200,000.
- Agricultural Land and Family Farm Tax Credit: The General Fund standing appropriation to fully fund the Agricultural Land and Family Farm Tax Credit is \$39,100,000.
- Military Service Tax Credit: The estimated General Fund standing appropriation to fully fund the Military Service Tax Credit is \$2,400,000.
- Elderly and Disabled Tax Credit: The estimated General Fund standing appropriation to fully fund the Elderly and Disabled Tax Credit is \$23,400,000.

5 29 a. For reimbursement for the homestead property tax credit
 5 30 under section 425.1:
 5 31 \$ 87,757,913

Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.

DETAIL: This is a decrease of \$6,458,706 compared to estimated net FY 2010. The FY 2011 demand is projected to exceed the appropriation by \$48,442,087.

5 32 b. For reimbursement for the family farm and agricultural
 5 33 land tax credits under sections 425A.1 and 426.1:
 5 34 \$ 32,395,131

Property Tax Credit Fund appropriation for the Family Farm and Agricultural Land Tax Credits.

DETAIL: This represents no change compared to estimated net FY 2010. The FY 2011 demand is projected to exceed the appropriation by \$6,704,869.

5 35 c. For reimbursement for the military service tax credit
 6 1 under section 426A.1A:
 6 2 \$ 2,400,000

Property Tax Credit Fund appropriation for the Military Service Tax Credit.

 DETAIL: This is an increase of \$29,005 compared to estimated net FY 2010 and fully funds the projected demand for FY 2011.

6 3 d. For implementing the elderly and disabled tax credit and
 6 4 reimbursement pursuant to sections 425.16 through 425.39:
 6 5 \$ 23,400,000

Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

 DETAIL: This is an increase of \$2,620,800 compared to estimated net FY 2010 and fully funds the projected demand for FY 2011.

6 6 If the director of revenue determines that the amount
 6 7 of claims for credit for property taxes due pursuant to
 6 8 paragraphs "a", "b", "c", and "d", plus the amount of claims
 6 9 for reimbursement for rent constituting property taxes paid
 6 10 which are to be paid during the fiscal year may exceed the
 6 11 total amount appropriated, the director shall estimate the
 6 12 percentage of the credits and reimbursements which will be
 6 13 funded by the appropriation. The county treasurer shall notify
 6 14 the director of the amount of property tax credits claimed by
 6 15 June 8, 2010. The director shall estimate the percentage of
 6 16 the property tax credits and rent reimbursement claims that
 6 17 will be funded by the appropriation and notify the county
 6 18 treasurer of the percentage estimate by June 15, 2010. The
 6 19 estimated percentage shall be used in computing for each claim
 6 20 the amount of property tax credit and reimbursement for rent
 6 21 constituting property taxes paid for that fiscal year. If
 6 22 the director overestimates the percentage of funding, claims
 6 23 for reimbursement for rent constituting property taxes paid
 6 24 shall be paid until they can no longer be paid at the estimated
 6 25 percentage of funding. Rent reimbursement claims filed after
 6 26 that point in time shall receive priority and shall be paid in
 6 27 the following fiscal year.

Requires the Director of the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, 2010, and identify the proration percentage if the claims are projected to exceed the appropriations.

 Requires the Director to notify the county treasurers of the proration percentage by June 15, 2010. If the Department of Revenue estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2011. If there are excess funds after claims are paid, the remaining funds carry forward to FY 2012.

6 28 Sec. 9. FEDERAL RECOVERY AND REINVESTMENT FUND ==

Requires any additional American Recovery and Reinvestment Act

6 29 ADDITIONAL FUNDING FOR FISCAL YEAR 2010=2011.
 6 30 1. In lieu of 2010 Iowa Acts, House File 2519, section 19,
 6 31 if additional funding designated for education stabilization
 6 32 is made available for the fiscal year beginning July 1,
 6 33 2010, through the state fiscal stabilization fund established
 6 34 pursuant to the federal American Recovery and Reinvestment Act
 6 35 of 2009, Pub. L. No. 111=5, such funding shall be credited to
 7 1 the federal recovery and reinvestment fund created in section
 7 2 8.41A and is appropriated for the fiscal year beginning July
 7 3 1, 2010, and ending June 30, 2011, to the departments and
 7 4 agencies that received the funding designated for education
 7 5 stabilization in 2009 Iowa Acts, chapter 183, section 61,
 7 6 subsection 1.
 7 7 2. a. Except as otherwise provided in paragraph "b",
 7 8 the amounts of the individual appropriations made in
 7 9 subsection 1 shall be in the same proportion as the individual
 7 10 appropriations in 2009 Iowa Acts, chapter 183, section 61,
 7 11 subsection 1, bear to the total amount appropriated in that
 7 12 provision.
 7 13 b. (1) The amount appropriated pursuant to subsection 1 for
 7 14 state foundation aid to schools shall not exceed the difference
 7 15 between the amount determined for the standing appropriation
 7 16 for state foundation aid for the fiscal year pursuant to
 7 17 section 257.16, subsection 1, and the amount the standing
 7 18 appropriation was limited to pursuant to this division of this
 7 19 Act.
 7 20 (2) The amount appropriated for the fiscal year pursuant to
 7 21 subsection 1 for instructional support state aid under section
 7 22 257.20 shall not exceed \$5,609,950, shall be in addition to
 7 23 the appropriation made in this division of this Act for the
 7 24 same purpose from the school infrastructure fund, and shall
 7 25 be allocated as provided in the school infrastructure fund
 7 26 appropriation.
 7 27 3. a. Except as provided in subsection 2 for instructional
 7 28 support state aid, the distribution of each appropriation
 7 29 made pursuant to subsection 1 to subunits of the departments
 7 30 and agencies shall also be in the same proportion as the
 7 31 distribution to subunits of the individual appropriations

(ARRA) Education Fiscal Stabilization funding made available for FY 2011 to be credited to the Federal Recovery and Reinvestment Fund and be appropriated for education purposes in FY 2011. These funds are to be appropriated to departments and agencies in the same proportion the ARRA funds were appropriated in FY 2010.

Prohibits the amount allocated to school districts for school aid from exceeding the State aid shortfall amount due to the cap on the FY 2011 school aid appropriation. Additionally, specifies that the amount appropriated for Instructional Support State aid not exceed \$5,609,950.

If good cause exists, as determined by the Department of Management and the Department of Education, in consultation with the Office of the Governor, adjustments to the distributions may be made.

Requires the DOM to submit a report to the Chairpersons and Ranking Members of the House and Senate Appropriations Committees and the LSA regarding any appropriations made pursuant to this Section. The report is to be submitted within two weeks of when the appropriation is made.

7 32 in 2009 Iowa Acts, chapter 183, section 61, subsection 1.
 7 33 However, state foundation aid to school districts shall be
 7 34 distributed based on 2010 Iowa Acts, House File 2519, section
 7 35 20, subsection 1.

8 1 b. If good cause exists, as determined by the departments
 8 2 of education and management, in coordination with the office
 8 3 of the governor, adjustments may be made to distribution
 8 4 proportions to the subunits other than as provided in paragraph
 8 5 "a".

8 6 4. The department of management shall report to the
 8 7 chairpersons and ranking members of the appropriations
 8 8 committees of the senate and house of representatives and the
 8 9 legislative services agency concerning any appropriations and
 8 10 distributions made pursuant to this section, within two weeks
 8 11 of such appropriations and distributions being made.

8 12 Sec. 10. PERFORMANCE OF DUTY. There is appropriated from
 8 13 the cash reserve fund created in section 8.56 to the executive
 8 14 council for the fiscal year beginning July 1, 2010, and ending
 8 15 June 30, 2011, the following amount, or so much thereof as is
 8 16 necessary, to be used for the purposes designated:

8 17 For performance of duty by the executive council in sections
 8 18 7D.29 and 29C.20:

8 19 \$ 10,583,628

8 20 The funding from the appropriation made in this section
 8 21 shall be utilized before any funding from the general fund of
 8 22 the state.

Cash Reserve Fund appropriation to the Executive Council for Performance of Duty expenditures. Permits additional funds to be utilized from the General Fund if expenditures exceed the appropriation.

DETAIL: The Executive Council uses the Performance of Duty standing appropriation to fund emergency repairs of State agencies when the repair expenditures exceed the amount of resources available in individual State agency budgets. The Contingency Fund is used by the Executive Council for funding disaster-related costs. The \$10,583,628 appropriation provides the funding for the State match requirements for Federal Emergency Management Agency (FEMA) funds that the State is receiving for the damages from the 2008 disasters.

8 23 Sec. 11. CASH RESERVE FUND APPROPRIATION REQUIREMENTS.

8 24 Section 8.56, subsections 3 and 4, shall not apply to any
 8 25 appropriation made in this division or any other division of
 8 26 this Act from the cash reserve fund created in section 8.56.

CODE: Exempts the FY 2011 appropriations from the Cash Reserve Fund from certain statutory requirements.

DETAIL: Notwithstanding statutory language that requires a Cash Reserve Fund appropriation to be used for nonrecurring emergency expenditures. Notwithstanding a requirement that an appropriation not be made from the Cash Reserve Fund that would cause the Fund

8 27 Sec. 12. CASH RESERVE FUND APPROPRIATION FOR FISCAL YEAR
 8 28 2010=2011. For the fiscal year beginning July 1, 2010, and
 8 29 ending June 30, 2011, the appropriation to the cash reserve
 8 30 fund provided in section 8.57, subsection 1, paragraph "a",
 8 31 shall not be made.

balance to be less than 3.75% of the adjusted revenue estimate for the year the appropriation is made, unless approved by a vote of at least three-fifths of the members of both chambers of the General Assembly and is signed by the Governor.

CODE: Notwithstanding the requirement for FY 2011 that a General Fund appropriation to the Cash Reserve Fund be made in the event the Cash Reserve Fund does not maintain a balance equal to 7.50% of the FY 2010 adjusted revenue estimate.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation from the General Fund equal to 1.00% of the adjusted revenue estimate is required. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate.

8 32 Sec. 13. Section 257.35, subsection 5, Code Supplement
 8 33 2009, is amended to read as follows:
 8 34 5. Notwithstanding subsection 1, and in addition to the
 8 35 reduction applicable pursuant to subsection 2, the state aid
 9 1 for area education agencies and the portion of the combined
 9 2 district cost calculated for these agencies for each fiscal
 9 3 year of the fiscal period beginning July 1, 2008, and ending
 9 4 June 30, ~~2010~~ 2011 , shall be reduced by the department of
 9 5 management by two million five hundred thousand dollars. The
 9 6 reduction for each area education agency for each fiscal year
 9 7 of the fiscal period beginning July 1, 2008, and ending June
 9 8 30, ~~2010~~ 2011 , shall be prorated based on the reduction that
 9 9 the agency received in the fiscal year beginning July 1, 2003.

CODE: Requires the State School Foundation Aid reduction to the AEAs to remain at \$10,000,000 in FY 2011.

DETAIL: The statutory State aid reduction to the AEAs is currently capped at \$7,500,000. This Section requires the reduction to AEAs to be increased by an additional \$2,500,000 more than the statutory amount and will total \$10,000,000 in FY 2011. This amount has been factored in as part of the State aid shortfall referenced in Section 5.1.

9 10 Sec. 14. Section 426B.1, subsections 2 and 3, Code 2009, are
 9 11 amended to read as follows:
 9 12 2. There is appropriated on July 1 of each fiscal year
 9 13 to the property tax relief fund from the general fund of
 9 14 the state, ~~ninety-five~~ eighty-eight million four hundred

CODE: Reduces the General Fund standing appropriation for the Property Tax Relief Fund from \$95,000,000 to \$88,400,000. Eliminates a \$6,600,000 standing appropriation from the Property Tax Relief Fund to the Department of Human Services (DHS) for the Medical Assistance Program.

9 15 ~~thousand dollars.~~
 9 16 ~~3. There is annually appropriated from the property tax~~
 9 17 ~~relief fund to the department of human services to supplement~~
 9 18 ~~the medical assistance appropriation for the fiscal year~~
 9 19 ~~beginning July 1, 1997, and for succeeding fiscal years,~~
 9 20 ~~six million six hundred thousand dollars to be used for the~~
 9 21 ~~nonfederal share of the costs of services provided to minors~~
 9 22 ~~with mental retardation under the medical assistance program~~
 9 23 ~~to meet the requirements of section 249A.12, subsection 4.~~
 9 24 ~~The appropriation in this subsection shall be charged to the~~
 9 25 ~~property tax relief fund prior to the distribution of moneys~~
 9 26 ~~from the fund under section 426B.2 and the amount of moneys~~
 9 27 ~~available for distribution shall be reduced accordingly.~~
 9 28 ~~However, the appropriation in this subsection shall be~~
 9 29 ~~considered to be a property tax relief payment for purposes~~
 9 30 ~~of the combined amount of payments required to achieve fifty~~
 9 31 ~~percent of the counties' base year expenditures as provided in~~
 9 32 ~~section 426B.2, subsection 2.~~

DETAIL: Section 4.7 of this Bill limits the General Fund appropriation to the Property Tax Relief Fund to \$81,199,911 for FY 2011.

9 33 CASH RESERVE FUND == PERFORMANCE OF DUTY
 9 34 Sec. 15. 2009 Iowa Acts, chapter 179, section 10, is amended
 9 35 by adding the following new unnumbered paragraph:
 10 1 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
 10 2 moneys appropriated in this section that remain unencumbered or
 10 3 unobligated at the close of the fiscal year shall not revert
 10 4 but shall remain available for expenditure for the purposes
 10 5 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the unobligated balance from the FY 2010 Cash Reserve Fund appropriation to the Executive Council through FY 2011.

DETAIL: The Executive Council received a Cash Reserve Fund appropriation of \$25,600,000 for Performance of Duty expenditures for FY 2010 in SF 278 (FY 2010 Standing Appropriations Act). It is estimated that \$5,300,000 of the FY 2010 appropriation will be obligated before the end of FY 2010, resulting in a carryforward balance of \$20,300,000. In addition, SF 2366 (FY 2010 Appropriations Adjustment Act) allocates \$883,628 from the unobligated balance for improvements at the Eldora Juvenile Home. This reduces the estimated carryforward balance to \$19,416,372.

NOTE: This Section is effective on enactment.

10 6 Sec. 16. EFFECTIVE DATES AND RETROACTIVE APPLICABILITY.

10 7 1. The section of this division of this Act providing for

Section 7, requiring the deposit of federal Veterans Affairs

10 8 crediting of certain moneys received by the Iowa veterans home
 10 9 to the general fund of the state, being deemed of immediate
 10 10 importance, takes effect upon enactment and is retroactively
 10 11 applicable to July 1, 2009, and is applicable on and after that
 10 12 date.

construction funding to the General Fund for the medical clinic expenditures, is effective on enactment and applies retroactively to July 1, 2009.

10 13 2. The section of this division of this Act creating the
 10 14 property tax credit fund, being deemed of immediate importance,
 10 15 takes effect upon enactment.

Section 8.1(a) that creates the Property Tax Credit Fund is effective on enactment.

10 16 3. The section of this division of this Act amending 2009
 10 17 Iowa Acts, chapter 179, section 10, being deemed of immediate
 10 18 importance, takes effect upon enactment.

Section 15 that allows the carryforward of any unobligated funds from the FY 2010 Cash Reserve Fund appropriation to the Executive Council is effective on enactment.

10 19 DIVISION III

10 20 SALARIES, COMPENSATION, AND RELATED MATTERS

10 21 Sec. 17. APPOINTED STATE OFFICERS.

10 22 1. The governor shall establish a salary for appointed
 10 23 nonelected persons in the executive branch of state government
 10 24 holding a position enumerated in and within the salary
 10 25 ranges provided in 2008 Iowa Acts, chapter 1191, section 14,
 10 26 by considering, among other items, the experience of the
 10 27 individual in the position, changes in the duties of the
 10 28 position, the incumbent's performance of assigned duties, and
 10 29 subordinates' salaries. However, the attorney general shall
 10 30 establish the salary for the consumer advocate, the chief
 10 31 justice of the supreme court shall establish the salary for the
 10 32 state court administrator, the ethics and campaign disclosure
 10 33 board shall establish the salary of the executive director, and
 10 34 the Iowa public broadcasting board shall establish the salary
 10 35 of the administrator of the public broadcasting division of the
 11 1 department of education, each within the salary range provided
 11 2 in 2008 Iowa Acts, chapter 1191, section 14.

Requires the Governor to determine the salary of most appointed nonelected persons in the Executive Branch. Permits the Governor to consider various factors to determine salaries.

In lieu of the Governor, the following entities are required to determine the salary within the FY 2009 salary range:

- The Attorney General for the salary of the Consumer Advocate.
- The Chief Justice of the Supreme Court for the salary of the State Court Administrator.
- The Ethics and Campaign Disclosure Board for the salary of the Executive Director.
- The Iowa Public Broadcasting Board for the salary of the Administrator of the Public Broadcasting Division of the Department of Education.

11 3 2. The governor, in establishing salaries as provided in

DETAIL: The cost will be determined by placement in the salary ranges. The minimum and maximum salary ranges for State officials are maintained at the FY 2009 levels. These include:

11 4 this section, shall take into consideration other employee
 11 5 benefits which may be provided for an individual including but
 11 6 not limited to housing.

- Salary range 2 (\$48,160 - \$73,700)
- Salary range 3 (\$55,380 - \$84,750)
- Salary range 4 (\$63,690 - \$97,460)
- Salary range 5 (\$73,250 - \$112,070)
- Salary range 6 (\$84,240 - \$128,890)
- Salary range 7 (\$100,840 - \$154,300)

11 7 3. A person whose salary is established pursuant to this
 11 8 section and who is a full-time, year-round employee of the
 11 9 state shall not receive any other remuneration from the state
 11 10 or from any other source for the performance of that person's
 11 11 duties unless the additional remuneration is first approved by
 11 12 the governor or authorized by law. However, this provision
 11 13 does not exclude the reimbursement for necessary travel and
 11 14 expenses incurred in the performance of duties or fringe
 11 15 benefits normally provided to employees of the state.

Prohibits appointed nonelected employees from receiving additional remuneration from the State unless approved by the Governor or authorized by law.

11 16 Sec. 18. COLLECTIVE BARGAINING AGREEMENTS FUNDED. The
 11 17 various state departments, boards, commissions, councils,
 11 18 and agencies, including the state board of regents, for
 11 19 the fiscal year beginning July 1, 2010, and ending June 30,
 11 20 2011, shall provide from available sources pay adjustments,
 11 21 expense reimbursements, and related benefits to fully fund the
 11 22 following:

11 23 1. The collective bargaining agreement negotiated pursuant
 11 24 to chapter 20 for employees in the blue collar bargaining unit.
 11 25 2. The collective bargaining agreement negotiated pursuant
 11 26 to chapter 20 for employees in the public safety bargaining
 11 27 unit.
 11 28 3. The collective bargaining agreement negotiated pursuant
 11 29 to chapter 20 for employees in the security bargaining unit.
 11 30 4. The collective bargaining agreement negotiated pursuant
 11 31 to chapter 20 for employees in the technical bargaining unit.
 11 32 5. The collective bargaining agreement negotiated pursuant

Specifies the pay adjustments, reimbursements, and benefits for collective bargaining agreements.

DETAIL: The total estimated cost of FY 2011 salary and benefit increases from all funds is \$128,726,922. This includes \$77,661,784 from the General Fund and \$51,065,138 from other funds. This also includes an estimated \$3,068,843 from all funds for vacant positions, including \$1,790,574 from the General Fund and \$1,278,269 from other funds. Detail regarding the cost and negotiated settlements with each bargaining unit is outlined below.

American Federation of State, County, and Municipal Employees (AFSCME -- Central and Community Based Corrections (CBCs))

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011

11 33 to chapter 20 for employees in the professional fiscal and
 11 34 staff bargaining unit.
 11 35 6. The collective bargaining agreement negotiated pursuant
 12 1 to chapter 20 for employees in the clerical bargaining unit.
 12 2 7. The collective bargaining agreement negotiated pursuant
 12 3 to chapter 20 for employees in the professional social services
 12 4 bargaining unit.
 12 5 8. The collective bargaining agreement negotiated pursuant
 12 6 to chapter 20 for employees in the community-based corrections
 12 7 bargaining unit.
 12 8 9. The collective bargaining agreements negotiated
 12 9 pursuant to chapter 20 for employees in the judicial branch of
 12 10 government bargaining units.
 12 11 10. The collective bargaining agreement negotiated pursuant
 12 12 to chapter 20 for employees in the patient care bargaining
 12 13 unit.
 12 14 11. The collective bargaining agreement negotiated pursuant
 12 15 to chapter 20 for employees in the science bargaining unit.
 12 16 12. The collective bargaining agreement negotiated pursuant
 12 17 to chapter 20 for employees in the university of northern iowa
 12 18 faculty bargaining unit.
 12 19 13. The collective bargaining agreement negotiated pursuant
 12 20 to chapter 20 for employees in the state university of iowa
 12 21 graduate student bargaining unit.
 12 22 14. The collective bargaining agreement negotiated pursuant
 12 23 to chapter 20 for employees in the state university of iowa
 12 24 hospital and clinics tertiary health care bargaining unit.
 12 25 15. The annual pay adjustments, related benefits, and
 12 26 expense reimbursements referred to in the sections of this
 12 27 division of this Act addressing noncontract state and state
 12 28 board of regents employees who are not covered by a collective
 12 29 bargaining agreement.

salary and benefit increases for these employees is \$45,956,630.
 This includes \$26,936,921 from the General Fund and \$19,019,709
 from other funds.

Iowa United Professionals (IUP) - Social Services and Science

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011
 salary and benefit increases for these employees is \$10,303,263.
 This includes \$5,491,036 from the General Fund and \$4,812,227 from
 other funds.

State Police Officer's Council (SPOC)

- 1.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 3.50% step increases for eligible employees.
- Increases the pay grades for selected position classes.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011
 salary and benefit increases for these employees is \$2,537,485. This
 includes \$2,080,042 from the General Fund and \$457,443 from other
 funds.

Judicial Public, Professional, and Maintenance Employees (PPME)

- 0.00% across-the-board increase.
- 4.50% step increases for eligible employees.
- Pay plan will be matched with the Executive Branch AFSCME pay
 plan.

FISCAL IMPACT: The total estimated cost for FY 2011 salary and
 benefit increases for these employees is \$282,892 from the General
 Fund.

Judicial AFSCME

- 0.00% across-the-board increase.
- 4.50% step increases for eligible employees.
- Pay plan will be matched with the Executive Branch AFSCME pay
 plan.

12 30 Sec. 19. NONCONTRACT STATE EMPLOYEES == GENERAL.

12 31 1. For the fiscal year beginning July 1, 2010:

12 32 a. The maximum and minimum salary levels of all pay plans
12 33 provided for in section 8A.413, subsection 3, as they exist for
12 34 the fiscal year ending June 30, 2010, shall not increase.

12 35 b. Employees shall not receive a step increase or the
13 1 equivalent of a step increase.

13 2 c. The pay plan for noncontract judicial branch employees
13 3 shall not be increased.

13 4 d. The pay plans for state employees who are exempt
13 5 from chapter 8A, subchapter IV, and who are included in the
13 6 department of administrative services' centralized payroll
13 7 system shall not be increased, and any additional changes
13 8 in any executive branch pay plans shall be approved by the
13 9 governor.

13 10 2. This section does not apply to members of the general
13 11 assembly, board members, commission members, persons whose
13 12 salaries are set by the general assembly pursuant to this Act
13 13 or are set by the governor, or other persons designated in the
13 14 section of this division of this Act addressing appointed state
13 15 officers, employees designated under section 8A.412, subsection
13 16 5, and employees covered by 11 IAC 53.6(3).

13 17 3. The pay plans for the bargaining eligible employees of
13 18 the state shall not be increased, and any additional changes
13 19 in such executive branch pay plans shall be approved by the
13 20 governor. As used in this section, "bargaining eligible
13 21 employee" means an employee who is eligible to organize under
13 22 chapter 20, but has not done so.

13 23 4. The policies for implementation of this section shall be
13 24 approved by the governor.

FISCAL IMPACT: The total estimated cost for FY 2011 salary and benefit increases for these employees is \$1,972,770 from the General Fund.

Specifies that the FY 2011 pay plans for noncontract employees of the Executive Branch, excluding the Board of Regents, will not be increased. Requires any additional changes in the pay plans to be approved by the Governor. Prohibits step increases for noncontract State employees for FY 2011.

Specifies that the FY 2011 pay plans for noncontract employees of the Judicial Branch will not be increased.

Specifies the FY 2011 pay plans for State employees exempt from the merit process and included in the centralized payroll system will not be increased.

Specifies the salary provisions in this Section do not apply to the following:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Code Section 8A.412(5), (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
- Employees that exceed the pay for the top of the range.

Specifies that the FY 2011 pay plans for bargaining eligible employees will not be increased.

DETAIL: The following summarizes the estimated costs for FY 2011 benefit increases.

Judicial Exempt

- 0.00% across-the-board increase.

- No step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for employee is \$970,395. This includes \$944,914 from the General Fund and \$25,481 from other funds.

Judicial Judges - No change.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 benefit increases for employees is \$285,268. This includes \$281,548 from the General Fund and \$3,720 from other funds.

Noncontract

- 0.00% across-the-board increase.
- No step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for these employees is \$6,144,635. This includes, \$3,262,300 from the General Fund and \$2,882,335 from other funds.

13 25 Sec. 20. STATE EMPLOYEES == STATE BOARD OF REGENTS. For
 13 26 the fiscal year beginning July 1, 2010, and ending June 30,
 13 27 2011, funds shall be provided from available sources of the
 13 28 state board of regents for funding of collective bargaining
 13 29 agreements for state board of regents employees covered by
 13 30 such agreements and for the following state board of regents
 13 31 employees not covered by a collective bargaining agreement:
 13 32 1. Regents merit system employees and merit supervisory
 13 33 employees.
 13 34 2. Faculty members and professional and scientific
 13 35 employees.

Requires the Board of Regents to use FY 2011 funds for funding collective bargaining agreements and for Regent employees not covered by a collective bargaining agreement.

DETAIL: Board of Regents merit system employees receive increases comparable to other contract-covered employees.

Estimated costs include:

AFSCME Regents

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

Committee to Organize Graduate Students -- University of Iowa (COGS-SUI)

- An increase in minimum tuition scholarship in an amount

- approximately equal to 100.00% of the cost of tuition.
- 0.00% increase in the average graduate assistant stipend.

University of Northern Iowa (UNI) United Faculty

- 3.00% across-the-board increase on June 25, 2010.
- Other cost items such as minimum salary guidelines, part-time salaries, travel expenditures, and summer salaries, were increased 3.00%.

Service Employees' International Union (SEIU) -- University of Iowa
University of Iowa Hospital and Clinic (SUI/UIHC)

- 2.00% across-the-board increase on June 25, 2010.
- 2.00% across-the-board increase on December 24, 2010.
- Provides for participation in the University's Modified Flexible Benefit Plan System approved by the Board in September 2008.

FISCAL IMPACT: The total estimated cost for FY 2011 salary increases for all Board of Regents employees is \$60,273,584. This includes \$36,409,361 from the General Fund and \$28,864,223 from other funds.

14 1 Sec. 21. BONUS PAY. For the fiscal year beginning July
14 2 1, 2010, and ending June 30, 2011, employees of the executive
14 3 branch, judicial branch, and legislative branch shall not
14 4 receive bonus pay unless otherwise authorized by law, required
14 5 pursuant to a contract of employment entered into before July
14 6 1, 2010, or required pursuant to a collective bargaining
14 7 agreement. This section does not apply to employees of the
14 8 state board of regents. For purposes of this section, "bonus
14 9 pay" means any additional remuneration provided an employee in
14 10 the form of a bonus, including but not limited to a retention
14 11 bonus, recruitment bonus, exceptional job performance pay,
14 12 extraordinary job performance pay, exceptional performance pay,
14 13 extraordinary duty pay, or extraordinary or special duty pay,
14 14 and any extra benefit not otherwise provided to other similarly
14 15 situated employees.

Prohibits bonus pay in FY 2011 for all Executive Branch, Judicial Branch, and Legislative Branch employees, unless permitted by law or required by a collective bargaining agreement. Defines the term "bonus pay."

14 16 Sec. 22. SPECIAL FUNDS. For the fiscal year beginning July
14 17 1, 2010, and ending June 30, 2011, salary adjustments otherwise
14 18 provided for in this Act may be funded using departmental
14 19 revolving, trust, or special funds for which the general
14 20 assembly has established an operating budget, provided doing so
14 21 does not exceed the operating budget established by the general
14 22 assembly.

Permits FY 2011 supplemental expenditures from various revolving, trust, or special funds to be used for salary adjustments provided that the operating budget set by the General Assembly is not exceeded.

14 23 Sec. 23. FEDERAL FUNDS APPROPRIATED. For the fiscal year
14 24 beginning July 1, 2010, all federal grants to and the federal
14 25 receipts of the agencies affected by this division of this Act
14 26 which are received and may be expended for purposes of this
14 27 division of this Act are appropriated for those purposes and as
14 28 set forth in the federal grants or receipts.

Permits FY 2011 federal funding to be expended for salary adjustments if permitted within a federal grant.

14 29 Sec. 24. STATE TROOPER MEAL ALLOWANCE. For the fiscal
14 30 year beginning July 1, 2010, the sworn peace officers in the
14 31 department of public safety who are not covered by a collective
14 32 bargaining agreement negotiated pursuant to chapter 20 shall
14 33 receive the same per diem meal allowance as the sworn peace
14 34 officers in the department of public safety who are covered
14 35 by a collective bargaining agreement negotiated pursuant to
15 1 chapter 20.

Requires Department of Public Safety sworn peace officers not covered by a collective bargaining agreement to receive the same per diem meal allowance as those officers covered by a negotiated bargaining agreement in FY 2011.

15 2 Sec. 25. SALARY MODEL ADMINISTRATOR. The salary model
15 3 administrator shall work in conjunction with the legislative
15 4 services agency to maintain the state's salary model used for
15 5 analyzing, comparing, and projecting state employee salary
15 6 and benefit information, including information relating to
15 7 employees of the state board of regents. The department of
15 8 revenue, the department of administrative services, the five
15 9 institutions under the jurisdiction of the state board of
15 10 regents, the judicial district departments of correctional
15 11 services, and the state department of transportation shall
15 12 provide salary data to the department of management and the

Requires the salary model administrator to work with the LSA to maintain the State's salary model. Requires various departments to submit salary data to the DOM.

15 13 legislative services agency to operate the state's salary
 15 14 model. The format and frequency of provision of the salary
 15 15 data shall be determined by the department of management and
 15 16 the legislative services agency. The information shall be
 15 17 used in collective bargaining processes under chapter 20 and
 15 18 in calculating the funding needs contained within the annual
 15 19 salary adjustment legislation. A state employee organization
 15 20 as defined in section 20.3, subsection 4, may request
 15 21 information produced by the model, but the information provided
 15 22 shall not contain information attributable to individual
 15 23 employees.

15 24 Sec. 26. 2008 Iowa Acts, chapter 1191, section 14,
 15 25 subsection 7, is amended to read as follows:
 15 26 7. The following are range 7 positions: administrator
 15 27 of the public broadcasting division of the department of
 15 28 education, director of the department of corrections, director
 15 29 of the department of education, director of human services,
 15 30 director of the department of economic development, executive
 15 31 director of the Iowa telecommunications and technology
 15 32 commission, executive director of the state board of regents,
 15 33 director of transportation, director of the department of
 15 34 workforce development, director of revenue, director of
 15 35 public health, state court administrator, director of the
 16 1 department of management, chief information officer, state debt
 16 2 coordinator, and director of the department of administrative
 16 3 services.

16 4 DIVISION IV
 16 5 APPROPRIATION REDUCTIONS

16 6 Sec. 27. APPROPRIATION REDUCTIONS == REPORT.
 16 7 1. The amounts appropriated from the general fund of
 16 8 the state to the departments and establishments of the
 16 9 executive branch, as defined in section 8.2, but not including

CODE: Adds the Chief Information Officer and State Debt
 Coordinator positions to Pay Range 7.

DETAIL: The Chief Information Officer position was created in
 Section 8 of SF 2088 (Government Reorganization and Efficiency Act)
 to manage the State Government Information Technology Services.
 The State Debt Coordinator position was created in SF 2383 (Debt
 Collections Act) to administer the Office of the State Debt Coordinator
 within the Department of Revenue. Both of these positions require
 appointment by the Governor and confirmation by the Senate.

Requires the DOM to apply reductions totaling \$83,760,500 to
 Executive Branch agencies' General Fund operating appropriations
 for FY 2011, excluding the Board of Regents. Requires the reductions
 to be realized through the implementation of the following:

16 10 appropriations to the state board of regents, for operational
 16 11 purposes in enactments made for the fiscal year beginning July
 16 12 1, 2010, and ending June 30, 2011, are reduced by \$83,760,500.
 16 13 For purposes of this section, "operational purposes"
 16 14 means salary, support, administrative expenses, or other
 16 15 personnel-related costs. The reductions in appropriations
 16 16 required pursuant to this subsection shall be realized through
 16 17 the implementation of 2010 Iowa Acts, Senate File 2062, 2010
 16 18 Iowa Acts, Senate File 2088, executive order number 20 issued
 16 19 December 16, 2009, and any other efficiency measure. The
 16 20 reductions to operational appropriations required by this
 16 21 subsection shall be applied by the department of management.

- Senate File 2062 (Early Retirement Act).
- Senate File 2088 (Government Reorganization and Efficiency Act).
- Executive Order Number 20 issued by the Governor on December 16, 2009.

16 22 2. On or before December 1, 2010, the department of
 16 23 management shall submit a report to the general assembly
 16 24 and the legislative services agency regarding anticipated
 16 25 reductions in appropriations for operational purposes and
 16 26 anticipated reductions in full-time equivalent positions
 16 27 for the fiscal year beginning July 1, 2010, and ending June
 16 28 30, 2011, as required by this section. In the report, all
 16 29 reductions shall be categorized in one of four categories. The
 16 30 categories shall include the implementation of 2010 Iowa Acts,
 16 31 Senate File 2062; the implementation of 2010 Iowa Acts, Senate
 16 32 File 2088, section 65; the implementation of 2010 Iowa Acts,
 16 33 Senate File 2088, sections 67 and 68; and the implementation of
 16 34 both executive order number 20 issued December 16, 2009, and
 16 35 any remaining provisions of 2010 Iowa Acts, Senate File 2088.

Requires the DOM to submit a report to the General Assembly and the LSA by December 1, 2010, regarding the anticipated appropriation and FTE position reductions for FY 2011. Requires the report to group the reductions into the following categories:

- The early retirement provisions included in SF 2062 (Early Retirement Act).
- The requirement in Section 65 of SF 2088 relating to the reduction of FTE positions that are vacant for at least six months.
- The requirements in Sections 67 and 68 of SF 2088 relating to span of control.
- The requirements in the Governor's Executive Order Number 20 and any remaining provisions of SF 2088.

17 1 Sec. 28. CASH RESERVE TRANSFER. For the fiscal year
 17 2 beginning July 1, 2010, and ending June 30, 2011, the
 17 3 department of management may transfer up to five million
 17 4 dollars from the cash reserve fund created in section 8.56
 17 5 to appropriations addressed by this division for purposes
 17 6 of offsetting the appropriation reductions required in this
 17 7 division. A transfer made pursuant to the authority granted in
 17 8 this section shall be subject to the reporting requirements in

Permits the DOM to transfer up to \$5,000,000 from the Cash Reserve Fund to offset any appropriation reductions required in this Division. Requires the DOM to report any transfers to the Chairpersons of the House and Senate Appropriation Committees and the Chairpersons of the appropriate subcommittees on appropriations.

17 9 section 8.39, subsections 3 and 4.

17 10 Sec. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
 17 11 INFORMATION TECHNOLOGY. There is appropriated from the general
 17 12 fund of the state to the department of administrative services
 17 13 for the fiscal year beginning July 1, 2010, and ending June 30,
 17 14 2011, the following amount, or so much thereof as is necessary,
 17 15 to be used for the purposes designated:
 17 16 For implementing 2010 Iowa Acts, Senate File 2088, division
 17 17 I, including salaries, support, maintenance, and miscellaneous
 17 18 purposes:
 17 19 \$ 2,300,000

General Fund appropriation to the Department of Administrative Services (DAS) for implementing the government information technology services provisions in SF 2088 (Government Reorganization and Efficiency Act).

DETAIL: It is estimated that the Department will save approximately \$3,300,000 in information technology costs in FY 2011 through the implementation of SF 2088.

17 20 DIVISION V
17 21 STATE FINANCIAL MANAGEMENT DUTIES

This Division amends provisions of SF 2088 (Government Reorganization and Efficiency Act) to maintain the State accounting functions with the DAS. Senate File 2088 transfers the responsibilities for the accounting functions to the DOM.

17 22 Sec. 30. Section 8A.502, subsection 1, Code 2009, is amended
 17 23 to read as follows:
 17 24 1. Centralized accounting and payroll system. To assume the
 17 25 responsibilities related to a centralized accounting system
 17 26 for state government and to establish a centralized payroll
 17 27 system for all state agencies . However, the state board of
 17 28 regents and institutions under the control of the state board
 17 29 of regents shall not be required to utilize the centralized
 17 30 payroll system.

Requires the DAS to establish a centralized payroll system for all State agencies. Exempts the Board of Regents from using the centralized payroll system.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

17 31 Sec. 31. Section 8A.502, Code 2009, is amended by adding the
 17 32 following new subsection:
 17 33 NEW SUBSECTION . 8A. Budget database. To develop and make
 17 34 available to the public a searchable budget database.

CODE: Requires the DAS to develop a searchable budget database that is available to the public.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

17 35 Sec. 32. Section 11.5B, subsection 16, if enacted by

CODE: Repeals a provision in SF 2367 (Administration and

18 1 2010 Iowa Acts, Senate File 2367, is amended by striking the
18 2 subsection.

Regulation Appropriations Bill) that the Auditor of State be reimbursed for auditing the State accounting functions within the DOM.

DETAIL: This change is necessary to conform to the changes in this Bill that maintain the State accounting functions with the DAS.

18 3 Sec. 33. 2010 Iowa Acts, Senate File 2088, section 233, is
18 4 amended to read as follows:
18 5 SEC. 233. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE
18 6 SERVICES == CENTRALIZED PAYROLL SYSTEM. The department
18 7 of ~~management~~ administrative services shall examine the
18 8 possibility of merging all state payroll systems into the
18 9 centralized payroll system operated by the department.
18 10 The department shall consult with those entities of state
18 11 government not utilizing the centralized payroll system,
18 12 including but not limited to the state department of
18 13 transportation, about strategies for encouraging utilization
18 14 of the state's centralized payroll system and by identifying
18 15 those barriers preventing merging of the payroll systems.
18 16 The department shall provide information to the joint
18 17 appropriations subcommittee on administration and regulation
18 18 concerning efforts by the department to merge payroll systems
18 19 and any recommendations for legislative action to encourage, or
18 20 eliminate barriers to, the provision of payroll services by the
18 21 department to other state agencies.

CODE: Requires the DAS to study the merging of all State payroll systems into a centralized system. Requires the Department to report to the Administration and Regulation Appropriations Subcommittee concerning the efforts taken to merge the payroll systems.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

18 22 Sec. 34. 2010 Iowa Acts, Senate File 2088, section 234, is
18 23 amended to read as follows:
18 24 SEC. 234. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE
18 25 SERVICES == PAYROLL FREQUENCY. The department of
18 26 ~~management~~ administrative services shall implement to the
18 27 greatest extent possible a reduction in the frequency of paying
18 28 state employees by paying employees through the payroll system
18 29 on a semimonthly instead of a biweekly basis.

CODE: Requires the DAS to implement, to the greatest extent possible, paying State employees on a semimonthly basis instead of biweekly.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

18 30 Sec. 35. REPEALS. 2010 Iowa Acts, Senate File 2088,

CODE: Repeals the provisions in SF 2088 (Government

18 31 sections 175 through 232, are repealed.

Reorganization and Efficiency Act) that transfer the State accounting functions from the DAS to the DOM.

18 32 DIVISION VI

18 33 CORRECTIVE PROVISIONS

18 34 Sec. 36. Section 2.69, subsection 3, as enacted by 2010
18 35 Iowa Acts, Senate File 2088, section 420, is amended to read
19 1 as follows:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

19 2 3. The members of the committee shall be reimbursed for
19 3 actual and necessary expenses incurred in the performance of
19 4 their duties and shall be paid a per diem as specified in
19 5 section ~~7E-6~~ 2.10 for each day in which they engaged in the
19 6 performance of their duties. However, per diem compensation
19 7 and expenses shall not be paid when the general assembly is
19 8 actually in session at the seat of government. Expenses and
19 9 per diem shall be paid from funds appropriated pursuant to
19 10 section 2.12.

NOTE: Senate File 2088 was signed by the Governor on March 10, 2010.

19 11 Sec. 37. Section 16.181A, subsection 1, as enacted by 2010
19 12 Iowa Acts, Senate File 2389, is amended to read as follows:

CODE: Technical correction to SF 2389 (Infrastructure Appropriations Bill).

19 13 1. There is appropriated from the rebuild Iowa
19 14 infrastructure fund to the Iowa finance authority for deposit
19 15 in the housing trust fund created in section 16.181, for the
19 16 fiscal year beginning July 1, 2009, and ~~ending~~ beginning July
19 17 1, 2011, and for each succeeding fiscal year, the sum of three
19 18 million dollars.

NOTE: Senate File 2389 was approved by the General Assembly on March 29, 2010.

19 19 Sec. 38. Section 46.3, subsection 3, Code 2009, as amended
19 20 by 2010 Iowa Acts, Senate File 2343, section 1, if enacted, is
19 21 amended to read as follows:

CODE: Technical correction to SF 2343 (Appointment of Judges Bill).

19 22 3. A No more than a simple majority of the commissioners
19 23 appointed shall be of the same gender.

NOTE: This Bill was not enacted. Senate File 2343 was approved by the General Assembly on March 17, 2010, and vetoed by the Governor on April 28, 2010.

19 24 Sec. 39. Section 97D.4, subsection 2, Code 2009, is amended

CODE: Technical correction.

19 25 to read as follows:

19 26 2. The members of the committee shall be reimbursed for
19 27 actual and necessary expenses incurred in the performance of
19 28 their duties and shall be paid a per diem as specified in
19 29 section ~~7E.6~~ 2.10 for each day in which they engaged in the
19 30 performance of their duties. However, per diem compensation
19 31 and expenses shall not be paid when the general assembly is
19 32 actually in session at the seat of government. Expenses and
19 33 per diem shall be paid from funds appropriated pursuant to
19 34 section 2.12.

19 35 Sec. 40. Section 123.43A, subsection 1, unnumbered
20 1 paragraph 1, as enacted by 2010 Iowa Acts, Senate File 2088,
20 2 section 84, is amended to read as follows:

20 3 For the purposes of this section, unless the context
20 4 ~~other~~ otherwise requires:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

20 5 Sec. 41. Section 162.10D, subsection 2, as enacted by 2010
20 6 Iowa Acts, House File 2280, section 18, is amended to read as
20 7 follows:

20 8 2. The department may require ~~that~~ an owner, operator, or
20 9 employee of a commercial establishment subject to disciplinary
20 10 action under subsection 1 to complete a continuing education
20 11 program as a condition for retaining an authorization.
20 12 This section does not prevent a person from voluntarily
20 13 participating in a continuing education program.

CODE: Technical correction to HF 2280 (Commercial Animal Establishments Act).

NOTE: House File 2280 was signed by the Governor on March 9, 2010.

20 14 Sec. 42. Section 216A.113, subsection 1, as enacted by 2010
20 15 Iowa Acts, Senate File 2088, section 139, is amended to read
20 16 as follows:

20 17 1. The commission ~~on the deaf~~ of deaf services is
20 18 established, and shall consist of seven voting members
20 19 appointed by the governor, subject to confirmation by the
20 20 senate pursuant to section 2.32. Membership of the commission
20 21 shall include at least four members who are deaf and who cannot
20 22 hear human speech with or without use of amplification and at

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

20 23 least one member who is hard of hearing. All members shall
20 24 reside in Iowa.

20 25 Sec. 43. Section 216C.9, subsection 1, Code 2009, as amended
20 26 by 2010 Iowa Acts, Senate File 2202, section 7, if enacted, is
20 27 amended to read as follows:

20 28 1. If a street, road, or highway in this state is newly
20 29 built or reconstructed, a curb ramp or sloped area shall be
20 30 constructed or installed at each intersection of the street,
20 31 road, or highway with a sidewalk or path. If a sidewalk or path
20 32 in this state is newly built or ~~altered~~ reconstructed, a curb
20 33 ramp or sloped area shall be constructed or installed at each
20 34 intersection of the sidewalk or path with a street, highway,
20 35 or road.

CODE: Technical correction to language in SF 2202 (Rights of Persons with Disabilities Act).

NOTE: Senate File 2202 was signed by the Governor on March 22, 2010.

21 1 Sec. 44. Section 256.51, subsection 1, paragraph a, Code
21 2 2009, as amended by 2010 Iowa Acts, Senate File 2088, section
21 3 316, is amended to read as follows:

21 4 a. Determine policy for providing information service to
21 5 the three branches of state government and to the legal ~~and~~
21 6 ~~medical~~ community in this state.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

21 7 Sec. 45. Section 256F.3, subsection 1, Code 2009, as amended
21 8 by 2010 Iowa Acts, Senate File 2033, section 10, is amended to
21 9 read as follows:

21 10 1. The state board of education shall apply for a federal
21 11 grant under Pub. L. No. 107=110, cited as the federal No Child
21 12 Left Behind Act of 2001, Tit. V, Pt. B, Subpt. 1, for purposes
21 13 of providing financial assistance for the planning, program
21 14 design, and initial implementation of public charter schools.
21 15 The department shall monitor the effectiveness of charter
21 16 schools and innovation zone schools and shall implement the
21 17 applicable provisions of this chapter.

CODE: Technical correction to SF 2033 (Race to the Top Education Programs Act).

NOTE: Senate File 2033 was signed by the Governor on January 15, 2010.

21 18 Sec. 46. Section 256F.6, subsection 3, Code 2009, is amended

CODE: Technical correction.

21 19 to read as follows:

21 20 3. The state board of education shall provide by rule for
21 21 the ongoing review of ~~a school board's~~ each party's compliance
21 22 with a contract entered into in accordance with this chapter.

21 23 Sec. 47. Section 260C.44, Code 2009, as amended by 2010 Iowa
21 24 Acts, Senate File 2340, section 35, if enacted, is amended to
21 25 read as follows:

21 26 260C.44 Apprenticeship programs.

21 27 1. Each community college is authorized to establish or
21 28 contract for the establishment of apprenticeship programs
21 29 for apprenticeable occupations. Any apprenticeship program
21 30 established under this section shall comply with requirements
21 31 established by the United States department of labor,
21 32 ~~bureau office of apprenticeship and training~~. Participation
21 33 in an apprenticeship program or apprenticeship agreement by an
21 34 apprenticeship sponsor shall be on a voluntary basis.

21 35 2. For purposes of this section:

22 1 a. "Apprentice" means a person who is at least sixteen
22 2 years of age, except where a higher minimum age is required by
22 3 law, who is employed in an apprenticeable occupation, and is
22 4 registered with the United States department of labor, office
22 5 of apprenticeship.

22 6 b. "Apprenticeable occupation" means an occupation approved
22 7 for apprenticeship by the United States department of labor,
22 8 ~~office of apprenticeship and training~~.

22 9 c. "Apprenticeship program" means a plan, registered with
22 10 the United States office of apprenticeship which contains
22 11 the terms and conditions for the qualification, recruitment,
22 12 selection, employment, and training of apprentices, including
22 13 the requirement for a written apprenticeship agreement.

22 14 d. "Apprenticeship sponsor" means a person operating an
22 15 apprenticeship program or in whose name an apprenticeship
22 16 program is being operated, registered, or approved.

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19,
2010.

22 17 Sec. 48. Section 298.4, subsection 2, if enacted by 2010

CODE: Technical correction to SF 2237 (Nonsubstantive Code

22 18 Iowa Acts, Senate File 2237, section 103, is amended to read
 22 19 as follows:
 22 20 2. Unencumbered funds collected from the levies
 22 21 authorized in sections 96.31, 279.46, and 296.7 prior to
 22 22 July 1, 1991, may be expended for the purposes listed in
 22 23 ~~subsections~~ subsection 1, paragraphs "a", "c", and "e".

Corrections Act).

NOTE: Senate File 2237 was signed by the Governor on March 19, 2010.

22 24 Sec. 49. Section 317.1, Code 2009, as amended by 2010 Iowa
 22 25 Acts, Senate File 2340, section 86, if enacted, is amended to
 22 26 read as follows:
 22 27 317.1 Definitions.
 22 28 As used in this chapter, unless the context otherwise
 22 29 requires:
 22 30 a. 1. "Book", "list", "record", or "schedule" kept by a
 22 31 county auditor, assessor, treasurer, recorder, sheriff, or
 22 32 other county officer means the county system as defined in
 22 33 section 445.1.
 22 34 ~~b.~~ 2. "Commissioner" means the county weed commissioner or
 22 35 the commissioner's deputy within each county.

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

23 1 Sec. 50. Section 321J.2, subsection 3, paragraph d,
 23 2 subparagraphs (1) and (2), if enacted by 2010 Iowa Acts, Senate
 23 3 File 431, section 1, are amended to read as follows:
 23 4 (1) A defendant whose alcohol concentration is .08 or
 23 5 more but not more than .10 shall not be eligible for any
 23 6 temporary restricted license for at least thirty days if a
 23 7 test was obtained and an accident resulting in personal injury
 23 8 or property damage occurred. The department shall require
 23 9 the defendant ~~shall be ordered~~ to install an ignition interlock
 23 10 device of a type approved by the commissioner of public safety
 23 11 on all vehicles owned or operated by the defendant if the
 23 12 defendant seeks a temporary restricted license. There shall be
 23 13 no such period of ineligibility if no such accident occurred,
 23 14 and the defendant shall not be ~~ordered~~ required to install an
 23 15 ignition interlock device.
 23 16 (2) A defendant whose alcohol concentration is more than .10

CODE: Technical correction to SF 431 (Operating While Intoxicated Act).

NOTE: Senate File 431 was signed by the Governor on April 12, 2010.

23 17 shall not be eligible for any temporary restricted license for
 23 18 at least thirty days if a test was obtained, and an accident
 23 19 resulting in personal injury or property damage occurred or the
 23 20 defendant's alcohol concentration exceeded .15. There shall be
 23 21 no such period of ineligibility if no such accident occurred
 23 22 and the defendant's alcohol concentration did not exceed .15.
 23 23 In either case, where a defendant's alcohol concentration is
 23 24 more than .10, the department shall require the defendant shall
 23 25 ~~be ordered~~ to install an ignition interlock device of a type
 23 26 approved by the commissioner of public safety on all vehicles
 23 27 owned or operated by the defendant if the defendant seeks a
 23 28 temporary restricted license.

23 29 Sec. 51. Section 336.4, Code 2009, as amended by 2010 Iowa
 23 30 Acts, Senate File 2088, section 323, is amended to read as
 23 31 follows:
 23 32 336.4 Library trustees.
 23 33 In any area in which a library district has been established
 23 34 in accordance with this chapter, a board of library
 23 35 trustees, consisting of five, seven, or nine members who
 24 1 ~~resident~~ reside within the library district, shall be appointed
 24 2 by the governing bodies of the jurisdictions comprising the
 24 3 library district.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

24 4 Sec. 52. Section 421C.2, subsection 8, paragraph b, if
 24 5 enacted by 2010 Iowa Acts, Senate File 2383, is amended to read
 24 6 as follows:
 24 7 b. "Third party" means an individual, institution,
 24 8 corporation, or public or private agency which is or may be
 24 9 liable to pay all or part of a debtor's monetary claim. "Third
 24 10 party" does not include a financial institution as defined in
 24 11 section ~~572.2~~ 527.2 .

CODE: Technical correction to SF 2383 (Debt Collection Act).

NOTE: Senate File 2383 was signed by the Governor on April 21, 2010.

24 12 Sec. 53. Section 435.26B, subsection 1, paragraph c, if
 24 13 enacted by 2010 Iowa Acts, Senate File 2199, section 13, is
 24 14 amended to read as follows:

CODE: Technical correction to SF 2199 (Manufacturing Housing Titling Act).

24 15 c. A statement of the affiant's title or ownership interest
24 16 and a statement of all liens, encumbrances, or security
24 17 ~~interest~~ interests upon the manufactured or mobile home,
24 18 including the names and mailing addresses of all persons having
24 19 any such liens, encumbrances, or security interests.

NOTE: Senate File 2199 was signed by the Governor on April 7, 2010.

24 20 Sec. 54. Section 455B.104, subsection 4, as enacted by 2010
24 21 Iowa Acts, Senate File 2088, section 258, is amended to read
24 22 as follows:
24 23 4. By ~~September 4~~ December 31 of each year, the department
24 24 shall submit a report to the governor and the general assembly
24 25 regarding the greenhouse gas emissions in the state during
24 26 the previous calendar year and forecasting trends in such
24 27 emissions. The first submission by the department shall be
24 28 filed by ~~September 4~~ December 31, 2011, for the calendar year
24 29 beginning January 1, 2010.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

24 30 Sec. 55. Section 476.53, subsection 2, paragraph a, Code
24 31 2009, as amended by 2010 Iowa Acts, House File 2399, section 2,
24 32 if enacted, is amended to read as follows:
24 33 a. The general assembly's intent with regard to the
24 34 development of electric power generating and transmission
24 35 facilities, or the significant alteration of an existing
25 1 generating facility, as provided in subsection 1, shall be
25 2 implemented in a manner that is cost-effective and compatible
25 3 with the environmental policies of the state, as expressed in
25 4 Title XI.

CODE: Technical correction to HF 2399 (Nuclear Generating Facilities Analysis Bill).

NOTE: Senate File 2399 was approved by the General Assembly on March 9, 2010.

25 5 Sec. 56. Section 489.116, subsection 4, as amended by 2010
25 6 Iowa Acts, House File 2478, section 5, if enacted, is amended
25 7 to read as follows:
25 8 4. ~~3.~~ A limited liability company or foreign limited
25 9 liability company may be served pursuant to this section, as
25 10 provided in another provision of this chapter, or as provided
25 11 in sections 617.3 through 617.6, unless the manner of service

CODE: Technical correction to HF 2478 (Limited Liability Company Act).

NOTE: House File 2478 was signed by the Governor on March 22, 2010.

25 12 is otherwise specifically provided for by another provision of
25 13 law.

25 14 Sec. 57. Section 489.1005, subsection 2, Code 2009, is
25 15 amended to read as follows:
25 16 2. A surviving organization that is a foreign organization
25 17 consents to the jurisdiction of the courts of this state to
25 18 enforce any debt, obligation, or other liability owed by a
25 19 constituent organization, if before the merger the constituent
25 20 organization was subject to suit in this state on the debt,
25 21 obligation, or other liability. A surviving organization
25 22 that is a foreign organization and not authorized to transact
25 23 business in this state appoints the secretary of state as its
25 24 registered agent for service of process for the purposes of
25 25 enforcing a debt, obligation, or other liability under this
25 26 subsection. Service on the secretary of state under this
25 27 subsection must be made in the same manner and has the same
25 28 consequences as in section 489.116, subsections ~~3~~ 2 and 4 3.

CODE: Technical correction.

25 29 Sec. 58. Section 489.1009, subsection 3, Code 2009, is
25 30 amended to read as follows:
25 31 3. A converted organization that is a foreign organization
25 32 consents to the jurisdiction of the courts of this state to
25 33 enforce any debt, obligation, or other liability for which
25 34 the converting limited liability company is liable if, before
25 35 the conversion, the converting limited liability company was
26 1 subject to suit in this state on the debt, obligation, or
26 2 other liability. A converted organization that is a foreign
26 3 organization and not authorized to transact business in this
26 4 state appoints the secretary of state as its registered agent
26 5 for service of process for purposes of enforcing a debt,
26 6 obligation, or other liability under this subsection. Service
26 7 on the secretary of state under this subsection must be made
26 8 in the same manner and has the same consequences as in section
26 9 489.116, subsections ~~3~~ 2 and 4 3.

CODE: Technical correction.

26 10 Sec. 59. Section 489.1013, subsection 2, Code 2009, is
26 11 amended to read as follows:
26 12 2. A domesticated company that is a foreign limited
26 13 liability company consents to the jurisdiction of the courts
26 14 of this state to enforce any debt, obligation, or other
26 15 liability owed by the domesticating company, if, before the
26 16 domestication, the domesticating company was subject to suit
26 17 in this state on the debt, obligation, or other liability.
26 18 A domesticated company that is a foreign limited liability
26 19 company and not authorized to transact business in this
26 20 state appoints the secretary of state as its registered agent
26 21 for service of process for purposes of enforcing a debt,
26 22 obligation, or other liability under this subsection. Service
26 23 on the secretary of state under this subsection must be made
26 24 in the same manner and has the same consequences as in section
26 25 489.116, subsections ~~3~~ 2 and 4 3.

CODE: Technical correction.

26 26 Sec. 60. Section 508C.3, subsection 1, paragraph b,
26 27 subparagraph (2), subparagraph division (b), Code 2009, as
26 28 amended by 2010 Iowa Acts, Senate File 2272, section 1, if
26 29 enacted, is amended to read as follows:
26 30 (b) The person is not eligible for coverage by an
26 31 association described in subparagraph ~~part~~ division (a) in any
26 32 other state due to the fact that the insurer was not licensed
26 33 in the state at the time specified in that state's guaranty
26 34 association law.

CODE: Technical correction to SF 2272 (Insurance Division Life and Guaranty Fund Benefits Act).

NOTE: Senate File 2272 was signed by the Governor on March 19, 2010.

26 35 Sec. 61. Section 514C.26, subsection 1, paragraph c,
27 1 subparagraph (2), subparagraph division (j), as enacted by 2010
27 2 Iowa Acts, House File 2075, section 1, is amended to read as
27 3 follows:
27 4 (j) Costs of extra treatments, services, procedures, tests,
27 5 or drugs that would not be performed or administered except
27 6 for participation in the cancer clinical trial. Nothing in
27 7 this subparagraph ~~subdivision~~ division shall limit payment for
27 8 treatments, services, procedures, tests, or drugs that are

CODE: Technical correction to HF 2075 (Cancer Clinical Trials, Insurance Coverage Act).

NOTE: House File 2075 was signed by the Governor on February 23, 2010.

27 9 otherwise a covered benefit under subparagraph (1).

27 10 Sec. 62. Section 543B.29, subsection 1, paragraph e,
27 11 subparagraph (2), if enacted by 2010 Iowa Acts, Senate File
27 12 2326, section 5, is amended to read as follows:
27 13 (2) The commission, when considering the revocation
27 14 or suspension of a license pursuant to this paragraph "e",
27 15 shall consider the nature of the offense; any aggravating or
27 16 extenuating circumstances which are documented; the time lapsed
27 17 since the conduct or conviction; the rehabilitation, treatment,
27 18 or restitution performed by the licensee; and any other factors
27 19 the commission deems relevant. Character references may be
27 20 required but shall not be obtained from licensed real estate
27 21 brokers or salespersons.

CODE: Technical correction to SF 2326 (Real Estate Licensure
Disciplinary Action Act).

NOTE: Senate File 2326 was signed by the Governor on March 19,
2010.

27 22 Sec. 63. Section 562A.29A, subsection 1, paragraph b, as
27 23 enacted by 2010 Iowa Acts, Senate File 2300, section 3, is
27 24 amended to read as follows:
27 25 b. Personal service pursuant to ~~rules~~ rule of civil
27 26 procedure 1.305, Iowa court rules, for the personal service of
27 27 original notice.

CODE: Technical correction to SF 2300 (Landlord -- Tenants Action
Act).

NOTE: Senate File 2300 was signed by the Governor on March 2,
2010.

27 28 Sec. 64. Section 685.6, subsection 9, paragraph d, as
27 29 enacted by 2010 Iowa Acts, Senate File 2088, section 343, is
27 30 amended to read as follows:
27 31 d. At any time during which any custodian is in custody
27 32 or control of any documentary material or answers to
27 33 interrogatories produced, or transcripts of oral testimony
27 34 given, by any person in compliance with any civil investigative
27 35 demand issued under subsection 1, such person, and in the
28 1 case of an express demand for any product of discovery, the
28 2 person from whom such discovery was obtained, may file, in
28 3 the district court of the state for the judicial district
28 4 within which the office of such custodian is located, and serve
28 5 upon such custodian, a petition for an order of such court to
28 6 require the performance by the custodian of any duty imposed

CODE: Technical correction to SF 2088 (Government Reorganization
and Efficiency Act).

28 7 upon the custodian by this section.

28 8 Sec. 65. Section 692A.102, subsection 1, paragraph c,
28 9 subparagraph (30), Code Supplement 2009, is amended to read as
28 10 follows:

28 11 (30) Enticing ~~away~~ a minor in violation of section 710.10,
28 12 if the violation includes an intent to commit sexual abuse,
28 13 sexual exploitation, sexual contact, or sexual conduct directed
28 14 towards a minor.

CODE: Technical correction.

28 15 Sec. 66. Section 805.6, subsection 3, paragraph a, if
28 16 enacted by 2010 Iowa Acts, Senate File 2340, section 63, is
28 17 amended to read as follows:

28 18 a. The uniform citation and complaint shall contain
28 19 spaces for the parties' names; the address of the alleged
28 20 offender; the registration number of the offender's vehicle;
28 21 the information required by section 805.2, a warning which
28 22 states, "I hereby swear and affirm that the information
28 23 provided by me on this citation is true under penalty of
28 24 providing false information; and a statement that providing
28 25 false information is a violation of section 719.3; a list of
28 26 the scheduled fines prescribed by sections 805.8A, 805.8B, and
28 27 805.8C, either separately or by group, and a statement of the
28 28 court costs payable in scheduled violation cases, whether or
28 29 not a court appearance is required or is demanded; a brief
28 30 explanation of sections 805.9 and 805.10; and a space where the
28 31 defendant may sign an admission of the violation when permitted
28 32 by section 805.9; and the uniform citation and complaint shall
28 33 require that the defendant appear before a court at a specified
28 34 time and place. The uniform citation and complaint also may
28 35 contain a space for the imprint of a credit card, and may
29 1 contain any other information which the commissioner of public
29 2 safety, the director of transportation, and the director of the
29 3 department of natural resources may determine.

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19,
2010.

29 4 Sec. 67. Section 805.6, subsection 7, Code Supplement 2009,

CODE: Technical correction to SF 2340 (Code Corrections Act).

29 5 as amended by 2010 Iowa Acts, Senate File 2340, section 63, if
29 6 enacted, is amended to read as follows:
29 7 9. Supplies of uniform citation and complaint forms
29 8 existing or on order on July 1, 2010, may be used until
29 9 exhausted.

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

29 10 Sec. 68. Section 901A.1, subsection 1, paragraph c, Code
29 11 2009, is amended to read as follows:
29 12 c. Enticing a minor ~~away~~ in violation of section 710.10,
29 13 subsection 1.

CODE: Technical correction.

29 14 Sec. 69. The portion of 2010 Iowa Acts, House File 2399,
29 15 section 2, if enacted, that enacts section 476.53, subsection
29 16 3, paragraph a, subparagraph (1), unnumbered paragraph 1, is
29 17 amended by striking the unnumbered paragraph and inserting in
29 18 lieu thereof the following:
29 19 Files an application pursuant to section 476A.3 to construct
29 20 in Iowa a baseload electric power generating facility with a
29 21 nameplate generating capacity equal to or greater than three
29 22 hundred megawatts or a combined-cycle electric power generating
29 23 facility, or an alternate energy production facility as defined
29 24 in section 476.42 , or to significantly alter an existing
29 25 generating facility . For purposes of this subparagraph, a
29 26 significant alteration of an existing generating facility must,
29 27 in order to qualify for establishment of ratemaking principles,
29 28 fall into one of the following categories:

CODE: Technical correction to HF 2399 (Electric Generating Facilities State Policy Bill).

NOTE: House File 2399 was approved by the General Assembly on March 9, 2010.

29 29 Sec. 70. 2010 Iowa Acts, Senate File 431, section 5, if
29 30 enacted, is amended by striking the section and inserting in
29 31 lieu thereof the following:
29 32 SEC. 5. Section 907.3, subsection 3, paragraph c,
29 33 unnumbered paragraph 1, Code Supplement 2009, is amended to
29 34 read as follows:
29 35 A mandatory minimum sentence of incarceration imposed
30 1 pursuant to a violation of section 321J.2, subsection 1;

CODE: Technical correction to SF 431 (Reorganization of Operating While Intoxicated Act).

NOTE: Senate File 431 was signed by the Governor on April 12, 2010.

30 2 furthermore, the court shall not suspend any part of a sentence
30 3 not involving incarceration imposed pursuant to section 321J.2,
30 4 subsection 2 3, 4, or 5 , beyond the mandatory minimum if any of
30 5 the following apply:

30 6 Sec. 71. 2010 Iowa Acts, Senate File 2237, section 180,
30 7 subsection 4, paragraph a, as enacted, is amended to read as
30 8 follows:
30 9 a. The Code editor is directed to strike the words "title"
30 10 or "Title" and insert "Tit." within federal Act references
30 11 in sections 13.31, subsections 1 and 6; 15E.192, subsection
30 12 2; 15E.195, subsections 1 and 2; 30.1, subsection 3; 47.1,
30 13 subsection 5; 96.11, subsection 10, paragraph "c"; 97C.1;
30 14 97C.2, subsections 2, 5, and 7; 97C.3, unnumbered paragraph
30 15 1, and subsections 1 and 2; 135C.9, subsection 1, paragraph
30 16 "b"; 142A.8, subsection 2; 203C.1, subsection 26; 207.21,
30 17 subsections 1, 4, and 5; 207.22, subsection 3, paragraph
30 18 "b"; 217.38; 228.1, subsection 7; 230.20, subsection 6;
30 19 232.1A; 234.6, subsection 1; 249.1, subsection 3; 249A.2,
30 20 subsections 1, 4, 6, 7, and 8; 249A.20A, subsection 5; 249A.24,
30 21 subsection 2, paragraph "b"; 249B.1, subsections 6 and 7;
30 22 249F.1, subsection 1; 249F.8; 249J.3, subsection 8; 249J.10,
30 23 subsection 3; 249J.22, subsection 3; 252B.6, subsection
30 24 3; 252B.9, subsection 2, paragraph "b", subparagraph (1),
30 25 subsection 3, paragraphs "c", "d", "e", subparagraph (1), and
30 26 "f"; 252B.14, subsection 5; 252D.20; 252E.15; 259.2, unnumbered
30 27 paragraph 2; 259.9; 260C.18A, subsection 2, paragraph "c";
30 28 306B.1, subsections 3 and 4; 307.10, subsection 13; 321.105,
30 29 subsection 5; 321.450, subsections 1 and 3; 403.6, subsection
30 30 7; 455B.133, subsection 3 and subsection 8, paragraph "a";
30 31 459A.102, subsection 19; 483A.4, subsection 1; 486A.101,
30 32 subsection 2, paragraph "a"; 488.102, subsection 3, paragraph
30 33 "a"; 490A.102, subsection 2; 514.7, subsections 2 through
30 34 4; 514B.1, subsection 5, paragraphs "b" ~~though~~ through "d";
30 35 514C.8, subsection 1; 514F.4, subsection 2, paragraph "a";
31 1 514I.9, subsection 1; 523A.401, subsection 5, paragraph "a";
31 2 523A.402, subsection 5, paragraph "a"; 523A.602, subsection 3;

CODE: Technical correction to SF 2237 (Nonsubstantive Code
Corrections Act).

NOTE: Senate File 2237 was signed by the Governor on March 19,
2010.

31 3 534.205, subsection 1; 541A.1, subsection 8, paragraph "b",
31 4 subparagraph (2); and 541A.6, Code 2009.

31 5 Sec. 72. 2010 Iowa Acts, Senate File 2366, section 16, if
31 6 enacted, is amended to read as follows:
31 7 SEC. 16. EFFECTIVE DATE == APPLICABILITY. ~~This section~~ The
31 8 sections of this division of this Act providing for transfers
31 9 involving the college student aid commission and the department
31 10 of inspections and appeals are retroactively applicable to
31 11 December 14, 2009, and apply in lieu of the transfers made for
31 12 the same purposes by the executive branch, as reported by the
31 13 department of management in the transfer notices dated December
31 14 14, 2009.

CODE: Technical correction to SF 2366 (FY 2010 Appropriations Adjustment Act).

NOTE: Senate File 2366 was signed by the Governor on April 15, 2010.

31 15 Sec. 73. 2010 Iowa Acts, Senate File 2366, section 23,
31 16 subsection 2, if enacted, is amended to read as follows:
31 17 2. The costs associated with implementation of this
31 18 division of this Act shall be funded exclusively through moneys
31 19 appropriated from the quality assurance trust fund, and shall
31 20 result in budget neutrality to the general fund of the state
31 21 for the fiscal year beginning July 1, 2009, and ending June 30,
31 22 2010.

CODE: Technical correction to SF 2366 (FY 2010 Appropriations Adjustment Act).

NOTE: Senate File 2366 was signed by the Governor on April 15, 2010.

31 23 Sec. 74. REPEAL. 2010 Iowa Acts, House File 2280, section
31 24 25, is repealed.

CODE: Technical correction. Repeals Section 25 of HF 2280 (Commercial Animal Establishments Act).

NOTE: House File 2280 was signed by the Governor on March 9, 2010.

31 25 Sec. 75. REPEAL. 2010 Iowa Acts, House File 2452, section
31 26 3, is repealed.

CODE: Technical correction. Repeals Section 3 of HF 2452 (Driver's License Sanctions Act).

NOTE: House File 2452 was signed by the Governor on March 22, 2010.

31 27 Sec. 76. REPEAL. 2010 Iowa Acts, Senate File 2340, section
31 28 117, is repealed.

CODE: Technical correction. Repeals Section 117 of HF 2340 (Code Corrections Act).

NOTE: House File 2340 was signed by the Governor on March 19, 2010.

31 29 Sec. 77. CONDITIONAL EFFECTIVE DATE. The sections of this
31 30 division of this Act amending sections 489.1005, 489.1009, and
31 31 489.1013, take effect only if 2010 Iowa Acts, House File 2478,
31 32 is enacted.

Sections within this Division relating to HF 2478 (Limited Liability and Business Corporation Act) take effect only if HF 2478 is enacted.

NOTE: House File 2478 was signed by the Governor on March 22, 2010.

31 33 Sec. 78. CONDITIONAL EFFECTIVE DATE. The sections of this
31 34 division of this Act amending section 692A.102, subsection
31 35 1, paragraph "c", subparagraph (30), and section 901A.1,
32 1 subsection 1, paragraph "c", take effect only if 2010 Iowa
32 2 Acts, House File 2438, is enacted.

Sections 65 and 68 take effect only if HF 2438 (Enticement of a Minor Act) is enacted.

NOTE: House File 2438 was signed by the Governor on April 10, 2010.

32 3 Sec. 79. CONTINGENT EFFECTIVE DATE. The section of this
32 4 division of this Act amending section 805.6, subsection 7,
32 5 takes effect only if 2010 Iowa Acts, Senate File 2197, is
32 6 enacted.

Section 67 takes effect only if SF 2197 (False Identification to Law Enforcement Act) is enacted.

NOTE: Senate File 2197 was signed by the Governor on March 22, 2010.

32 7 Sec. 80. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
32 8 APPLICABILITY. The following sections of this division of this
32 9 Act, being deemed of immediate importance, take effect upon
32 10 enactment and apply retroactively as follows:
32 11 1. The section of this division of this Act amending section
32 12 162.10D, subsection 2, as enacted by 2010 Iowa Acts, House File
32 13 2280, section 18, applies retroactively to March 9, 2010.
32 14 2. The section of this division of this Act amending section
32 15 216A.113, subsection 1, as enacted by 2010 Iowa Acts, Senate
32 16 File 2088, section 139, applies retroactively to March 10,
32 17 2010.

Specifies the following enactment dates:

- Provisions relating to HF 2280 are retroactive to March 9, 2010.
- Provisions relating to SF 2088 are retroactive to March 10, 2010.
- Provisions relating to SF 2199 are retroactive to the enactment date of SF 2199 (April 7, 2010).
- Provisions relating to SF 2300 are retroactive to March 2, 2010.
- Provisions relating to HF 2399 are retroactive to March 9, 2010.
- Provision relating to HF 2366 is effective on enactment.

32 18 3. The section of this division of this Act amending section
 32 19 256.51, subsection 1, paragraph "a", Code 2009, as amended
 32 20 by 2010 Iowa Acts, Senate File 2088, section 316, applies
 32 21 retroactively to March 10, 2010.

32 22 4. The section of this division of this Act amending section
 32 23 435.26B, subsection 1, paragraph "c", if enacted by 2010 Iowa
 32 24 Acts, Senate File 2199, section 13, applies retroactively to
 32 25 the effective date of 2010 Iowa Acts, Senate File 2199.

32 26 5. The section of this division of this Act amending section
 32 27 562A.29A, subsection 1, paragraph "b", as enacted by 2010 Iowa
 32 28 Acts, Senate File 2300, section 3, applies retroactively to
 32 29 March 2, 2010.

32 30 6. The section of this division of this Act amending
 32 31 the portion of 2010 Iowa Acts, House File 2399, section 2,
 32 32 that enacts section 476.53, subsection 3, paragraph "a",
 32 33 subparagraph (1), unnumbered paragraph 1, applies retroactively
 32 34 to March 9, 2010.

32 35 7. The section of this division of this Act repealing 2010
 33 1 Iowa Acts, House File 2280, section 25, applies retroactively
 33 2 to March 9, 2010.

33 3 8. The section of this division of this Act amending 2010
 33 4 Iowa Acts, Senate File 2366, section 16.

33 5 Sec. 81. EFFECTIVE DATE. The following sections of this
 33 6 division of this Act take effect December 1, 2010:

33 7 1. The section of this division of this Act amending section
 33 8 321J.2, subsection 3, paragraph "d", subparagraphs (1) and (2),
 33 9 if enacted by 2010 Iowa Acts, Senate File 431, section 1.

33 10 2. The section of this division of this Act repealing 2010
 33 11 Iowa Acts, House File 2452, section 3, if 2010 Iowa Acts,
 33 12 Senate File 431, is enacted.

33 13 3. The section of this division of this Act amending 2010
 33 14 Iowa Acts, Senate File 431, section 5, if 2010 Iowa Acts,
 33 15 Senate File 431, is enacted.

Specifies that certain sections in this Division take effect December 1, 2010, if SF 431 is enacted.

NOTE: Senate File 431 (Reorganization of Operating While Intoxicated Act) was signed by the Governor on April 12, 2010.

33 17 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

33 18 Sec. 82. DEPARTMENT OF CULTURAL AFFAIRS == MERCHANT MARINE
 33 19 BONUS FUND. There is appropriated from the merchant marine
 33 20 bonus fund of the state to the department of cultural affairs
 33 21 for the fiscal year beginning July 1, 2010, and ending June 30,
 33 22 2011, any moneys remaining in the fund after the appropriation
 33 23 made pursuant to 2010 Iowa Acts, House File 2526, to be used
 33 24 for any costs relating to a study of the U.S.S. Iowa and for
 33 25 departmental salaries, support, maintenance, and miscellaneous
 33 26 purposes.
 33 27 Notwithstanding section 8.33, moneys appropriated in this
 33 28 section that remain unencumbered or unobligated at the close of
 33 29 the fiscal year shall not revert but shall remain available for
 33 30 expenditure for the purposes designated until the close of the
 33 31 succeeding fiscal year.

CODE: Appropriates the remaining balance of the Merchant Marine Bonus Fund to the Department of Cultural Affairs for costs relating to a study of the U.S.S. Iowa and for Department of Cultural Affairs operating costs. Requires any unobligated funds to be carried forward for expenditure in FY 2011.

DETAIL: An estimated \$45,000 will be available from the Merchant Marine Bonus Fund for this purpose.

33 32 Sec. 83. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE

33 33 TANK FUND == APPROPRIATIONS. There is appropriated from the
 33 34 Iowa comprehensive petroleum underground storage tank fund
 33 35 created in section 455G.3 to the following departments and
 34 1 agencies for the fiscal year beginning July 1, 2010, and ending
 34 2 June 30, 2011, the following amounts, or so much thereof
 34 3 as is necessary, to be used for the purposes designated,
 34 4 notwithstanding section 455G.3, subsection 1:

CODE: Provides appropriations from the Underground Storage Tank (UST) Fund for uses other than those authorized in statute.

34 5 1. DEPARTMENT OF PUBLIC HEALTH == BOARD OF PHARMACY
 34 6 For continuation of the pharmaceutical collection and
 34 7 disposal pilot program established pursuant to 2009 Iowa Acts,
 34 8 chapter 175, section 9:
 34 9 \$ 150,000

Underground Storage Tank Fund appropriation to the Iowa Board of Pharmacy to continue the Pharmaceutical Collection and Disposal Pilot Program.

DETAIL: The Program was established in FY 2010 and received a grant of \$165,000 from the Department of Natural Resources (DNR) Solid Waste Alternatives Program. The Program provides for the management and disposal of unused, excess, and expired pharmaceuticals.

<p>34 10 2. DEPARTMENT OF ADMINISTRATIVE SERVICES 34 11 For costs associated with providing autism spectrum 34 12 disorders coverage pursuant to section 514C.26, as enacted by 34 13 this Act: 34 14 \$ 140,000</p>	<p>Underground Storage Tank Fund appropriation to the DAS for costs associated with providing autism spectrum disorders coverage. NOTE: Section 131 of this Bill creates the Autism Spectrum Disorders Program.</p>
<p>34 15 3. STATE BOARD OF REGENTS 34 16 a. For the state school for the deaf: 34 17 \$ 233,000</p>	<p>Underground Storage Tank Fund appropriation to the Board of Regents for the School for the Deaf.</p>
<p>34 18 b. For Iowa braille and sight saving school: 34 19 \$ 137,000</p>	<p>Underground Storage Tank Fund appropriation to the Board of Regents for the Iowa Braille and Sight Saving School.</p>
<p>34 20 4. DEPARTMENT OF EDUCATION == VOCATIONAL REHABILITATION 34 21 SERVICES DIVISION 34 22 For a program for farmers with disabilities: 34 23 \$ 97,000</p>	<p>Underground Storage Tank Fund appropriation to the Division of Vocational Rehabilitation Services of the Department of Education for the Farmers with Disabilities Program. DETAIL: This is a decrease of \$200 compared to the estimated net FY 2010 General Fund appropriation. This is a pass-through appropriation to the Easter Seals organization for its Farmers with Disabilities Program.</p>
<p>34 24 The funds appropriated in this subsection shall be used 34 25 for the public purpose of providing a grant to a national 34 26 nonprofit organization with over 80 years of experience in 34 27 assisting children and adults with disabilities and special 34 28 needs. The funds shall be used for a nationally recognized 34 29 program that began in 1986 and has been replicated in at least 34 30 30 other states, but which is not available through any other 34 31 entity in this state, that provides assistance to farmers 34 32 with disabilities in all 99 counties to allow the farmers 34 33 to remain in their own homes and be gainfully engaged in 34 34 farming through provision of agricultural worksite and home 34 35 modification consultations, peer support services, services 35 1 to families, information and referral, and equipment loan</p>	<p>CODE: Requires nonreversion of the funds appropriated to the Division of Vocational Rehabilitation Services for the Farmers with Disabilities Program through the end of FY 2011.</p>

35 2 services. Notwithstanding section 8.33, moneys appropriated
 35 3 in this section that remain unencumbered or unobligated at the
 35 4 close of the fiscal year shall not revert but shall remain
 35 5 available for expenditure for the purposes designated until the
 35 6 close of the succeeding fiscal year.

35 7 5. DEPARTMENT OF HUMAN SERVICES
 35 8 For restoring for the fiscal year beginning July 1, 2010, a
 35 9 portion of the reimbursement rate reduction that was applied
 35 10 in the previous fiscal year to adoption, family foster care,
 35 11 group foster care, and supervised apartment living services
 35 12 providers, to implement appropriations reductions applied
 35 13 pursuant to executive order number 19 issued October 8, 2010:
 35 14 \$ 1,000,000
 35 15 The department shall increase the reimbursement rates
 35 16 otherwise specified in 2010 Iowa Acts, House File 2526, if
 35 17 enacted, for the designated services providers by an equal
 35 18 percentage in order to fully utilize the amount appropriated
 35 19 in this subsection.

Underground Storage Tank Fund appropriation to the DHS to partially restore adoption subsidy, family foster care, group care, and supervised apartment living provider rates equally up to \$1,000,000 for FY 2011.

35 20 6. DEPARTMENT OF COMMERCE == DIVISION OF INSURANCE
 35 21 For costs associated with establishing the Iowa insurance
 35 22 information exchange pursuant to section 505.32, if enacted by
 35 23 2010 Iowa Acts, Senate File 2356:
 35 24 \$ 150,000

Underground Storage Tank Fund appropriation to the Insurance Division of the Department of Commerce for establishing the Iowa Insurance Information Exchange created in SF 2356 (Health Care Reform Act).

NOTE: Senate File 2356 was signed by the Governor on April 14, 2010.

35 25 Sec. 84. FISCAL YEAR 2009=2010 == APPROPRIATIONS. There
 35 26 is appropriated from the general fund of the state to the
 35 27 following departments and agencies for the fiscal year
 35 28 beginning July 1, 2009, and ending June 30, 2010, the following
 35 29 amounts, or so much thereof as is necessary, to be used for the
 35 30 purposes designated:

Specifies additional FY 2010 supplemental General Fund appropriations.

NOTE: This Section is effective on enactment.

35 31 1. DEPARTMENT OF MANAGEMENT

General Fund supplemental appropriation to the DOM for operational

PG LN	House File 2531	Explanation
35 32 35 33 35 34	For salaries, support, maintenance, and miscellaneous purposes: \$ 200,000	purposes. DETAIL: Any obligated funds will carry forward for expenditure in FY 2011.
35 35 36 1 36 2 36 3 36 4 36 5 36 6 36 7	2. DEPARTMENT OF REVENUE For the duties of the office of the state debt coordinator established in 2010 Iowa Acts, Senate File 2383, if enacted, including salaries, support, maintenance, services, advertising, miscellaneous purposes, and for not more than the following full-time equivalent positions: \$ 300,000 FTEs 3.00	General Fund supplemental appropriation to the Department of Revenue for costs related to the start-up and implementation of SF 2383 (Debt Collections Act). DETAIL: Any unobligated funds will carry forward for expenditure in FY 2011. NOTE: Senate File 2383 was signed by the Governor on April 21, 2010. The Section of SF 2383 creating the Office of the State Debt Collector was effective on enactment.
36 8 36 9 36 10 36 11 36 12 36 13 36 14 36 15	For the period beginning on the effective date of the section establishing the debt amnesty program in 2010 Iowa Acts, Senate File 2383, through November 30, 2010, or when the program is ended, whichever is later, an amount of the proceeds collected by the program equal to the administrative, advertising, and other costs of the program shall be considered repayment receipts, as defined in section 8.2, and shall be used by the office of the state debt coordinator for those costs.	Specifies that the State Debt Coordinator will use proceeds collected through the Debt Amnesty Program as repayment receipts to transition funding for the Office from debt collection revenue.
36 16 36 17 36 18 36 19 36 20	Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.	CODE: Requires nonreversion of the supplemental appropriation for the Office of the State Debt Coordinator through FY 2011.
36 21 36 22 36 23 36 24	Sec. 85. SAC AND FOX INDIAN SETTLEMENT == EDUCATIONAL EXPENSES. There is appropriated from the Iowa comprehensive petroleum underground storage tank fund to the department of education for the fiscal year beginning July 1, 2010, and	CODE: Underground Storage Tank Fund appropriation to the Department of Education for education expenses of American Indian children residing on the Sac and Fox Indian Settlement. This Section notwithstanding Iowa Code provisions relating to the expenditure of

<p>36 25 ending June 30, 2011, the following amount, or so much thereof 36 26 as is necessary, to be used for the purposes designated: 36 27 Notwithstanding section 455G.3, subsection 1, for 36 28 distribution to the tribal council of the Sac and Fox Indian 36 29 settlement located on land held in trust by the secretary 36 30 of the interior of the United States. Moneys appropriated 36 31 under this section shall be used for the purposes specified in 36 32 section 256.30: 36 33 \$ 90,000</p>	<p>Underground Storage Tank Fund proceeds.</p> <p>DETAIL: Prior to FY 2010, funding for this purpose was allocated from the Educational Excellence standing appropriation. In FY 2010, \$90,000 was appropriated from the General Fund for this purpose.</p>
<p>36 34 Sec. 86. SCHOOL READY CHILDREN GRANT REQUIREMENT. For the 36 35 fiscal year beginning July 1, 2010, and ending June 30, 2011, 37 1 the early childhood Iowa state board may grant a school ready 37 2 children grant waiver as to the required percentage of family 37 3 support program to be committed to a home visitation component 37 4 to an early childhood Iowa area that is funding the teaching 37 5 interventions to empower and strengthen families program and is 37 6 more than 10 percent away from meeting the required percentage.</p>	<p>Authorizes the Early Childhood Iowa State Board to grant waivers to local area boards exempting them from the required percentage of family support funding committed to home visitation in FY 2011.</p>
<p>37 7 Sec. 87. MEDICAID FRAUD ACCOUNT == DEPARTMENT OF 37 8 INSPECTIONS AND APPEALS. There is appropriated from the 37 9 Medicaid fraud account created in section 249A.7 to the 37 10 department of inspections and appeals for the fiscal year 37 11 beginning July 1, 2010, and ending June 30, 2011, the following 37 12 amount or so much thereof as is necessary, to be used for the 37 13 purposes designated: 37 14 For salaries, support, maintenance, miscellaneous purposes, 37 15 administration, and other costs associated with implementation 37 16 of 2010 Iowa Acts, Senate File 2333, if enacted: 37 17 \$ 250,000</p>	<p>Medicaid Fraud Account appropriation to the Department of Inspections and Appeals for costs related to implementing SF 2333 (Dependent Adult Abuse and Hospital Inspections Bill).</p> <p>NOTE: Senate File 2333 was approved by the General Assembly on March 22, 2010.</p>
<p>37 18 Sec. 88. TAIWAN TRADE OFFICE == IOWA COMPREHENSIVE 37 19 PETROLEUM UNDERGROUND STORAGE TANK FUND. There is appropriated 37 20 from the Iowa comprehensive petroleum underground storage tank 37 21 fund to the department of economic development for the fiscal 37 22 year beginning July 1, 2010, and ending June 30, 2011, the</p>	<p>CODE: Underground Storage Tank Fund appropriation to the Department of Economic Development for the establishment of a trade office in Taipei, Taiwan.</p> <p>Notwithstands Code Section 455G.3(1) that prohibits money in the</p>

<p>37 23 following amount, or so much thereof as is necessary, to be 37 24 used for the purposes designated: 37 25 Notwithstanding section 455G.3, subsection 1, for 37 26 establishing a trade office in Taipei, Taiwan: 37 27 \$ 100,000</p>	<p>Underground Storage Tank Fund from being appropriated for anything other than for fuel storage tanks and dispensing infrastructure.</p>
<p>37 28 If the department cannot arrange for matching moneys from 37 29 another source in an amount at least equal to the appropriation 37 30 made in this section, the moneys appropriated in this section 37 31 shall revert to the Iowa comprehensive petroleum underground 37 32 storage tank fund.</p>	<p>Specifies that if the Department of Economic Development does not receive matching money from another source that is equal to the \$100,000 Underground Storage Tank Fund appropriation, the funds from the appropriation revert back to the Underground Storage Tank Fund.</p>
<p>37 33 Sec. 89. INSURANCE DIVISION. There is appropriated from the 37 34 department of commerce revolving fund created in section 546.12 37 35 to the insurance division of the department of commerce for the 38 1 fiscal year beginning July 1, 2010, and ending June 30, 2011, 38 2 the following amount, or so much thereof as is necessary, to be 38 3 used for the purposes designated: 38 4 For salaries, support, maintenance, miscellaneous purposes, 38 5 and for not more than the following full-time equivalent 38 6 positions: 38 7 \$ 55,000 38 8 FTEs 1.00</p>	<p>Department of Commerce Revolving Fund appropriation to the Insurance Division.</p> <p>DETAIL: The funds will be used to support a central monitor and coordinator of reports to implement provisions in SF 2201 (Insurance Division Omnibus Act).</p> <p>NOTE: Senate File 2201 was signed by the Governor on April 9, 2010.</p>
<p>38 9 Sec. 90. CASH RESERVE FUND APPROPRIATIONS. There is 38 10 appropriated from the cash reserve fund created in section 8.56 38 11 to the following departments and agencies for the fiscal year 38 12 beginning July 1, 2010, and ending June 30, 2011, the following 38 13 amounts to be used for the purposes designated:</p>	<p>Provides appropriations from the Cash Reserve Fund for certain purposes.</p>
<p>38 14 1. DEPARTMENT OF HUMAN SERVICES 38 15 For the medical assistance program: 38 16 \$187,800,000</p>	<p>Cash Reserve Fund appropriation to the DHS for the Medical Assistance Program.</p> <p>DETAIL: Total State funding for the Medical Assistance Program for FY 2011 is estimated at \$822,046,933 and includes:</p>

- \$187,800,000 appropriated from the Cash Reserve Fund in this Bill.
- \$393,683,227 appropriated from the General Fund in HF 2526 (Health and Human Services Appropriations Bill).
- \$107,615,211 appropriated from the Health Care Trust Fund in HF 2526.
- \$39,406,000 from the Hospital Trust Fund in Section 207 of this Bill.
- \$39,080,435 appropriated from the Senior Living Trust Fund in HF 2526.
- \$36,339,411 from the projected carryforward balance from FY 2010.
- \$13,900,000 from the Quality Assurance Trust Fund in HF 2526.
- \$2,297,649 transferred from the Covering All Kids Program.
- \$1,925,000 transferred from the Decategorization Waiver Waiting List.

The State is also estimated to receive \$217,409,636 in federal stimulus funds for the Medical Assistance Program for FY 2011.

38 17 2. DEPARTMENT OF MANAGEMENT
 38 18 For salaries, support, maintenance, and miscellaneous
 38 19 purposes:
 38 20 \$ 260,000

Cash Reserve Fund appropriation to the DOM for operational costs in FY 2011.

38 21 3. DEPARTMENT OF EDUCATION
 38 22 a. To provide funding in addition to the amount appropriated
 38 23 in 2010 Iowa Acts, Senate File 2376, section 6, subsection
 38 24 14, for allocation to eligible school districts for the
 38 25 four-year-old preschool program under chapter 256C:
 38 26 \$ 4,000,000

Cash Reserve Fund appropriation to the Department of Education for the Statewide Voluntary Preschool Program for four-year-olds.

DETAIL: This appropriation and the General Fund appropriation in SF 2376 (FY 2011 Education Appropriations Bill) provide funding for new grants to school districts wishing to join the Statewide Voluntary Preschool Program. When the Program was initiated, it was anticipated that FY 2011 would be the fourth and final year of additional funding to bring new districts into the Program. At that time, it was anticipated that \$16.2 million would be needed in FY 2011 to reach a statewide participation rate of 90.0% of four-year-old children.

Senate File 2376 appropriates \$12.2 million and directs the Department of Education to implement a method to provide prorated grants to all school districts that are interested and qualify.

38 27 b. For school districts to provide direct services to the
 38 28 most at-risk senior high school students enrolled in school
 38 29 districts through direct intervention by a jobs for America's
 38 30 graduates specialist:
 38 31 \$ 540,000

Cash Reserve Fund appropriation to the Department of Education for the Iowa Jobs for America's Graduates (I-JAG) Program.

DETAIL: This represents no change from the estimated net FY 2010 General Fund appropriation. I-JAG has programs for at-risk students in place at 18 high schools, one alternative high school, four middle schools, and Des Moines Area Community College.

38 32 4. DEPARTMENT OF NATURAL RESOURCES
 38 33 For operations, notwithstanding restrictions otherwise
 38 34 applicable under 2010 Iowa Acts, House File 2525, relating to
 38 35 private buildings, if enacted:
 39 1 \$ 300,000

Cash Reserve Fund appropriation to the DNR for the cost of leases for office space.

39 2 5. DEPARTMENT OF HUMAN SERVICES
 39 3 For funding of shelter care in addition to the amount
 39 4 allocated for this purpose in the appropriation for child and
 39 5 family services in 2010 Iowa Acts, House File 2526, if enacted:
 39 6 \$ 500,000

Cash Reserve Fund appropriation to the Department of Human Services for funding shelter care.

39 7 6. OFFICE OF ENERGY INDEPENDENCE
 39 8 For deposit in the Iowa power fund:
 39 9 \$ 2,000,000

Cash Reserve Fund appropriation to the Office of Energy Independence for deposit in the Iowa Power Fund.

39 10 7. IOWA FINANCE AUTHORITY
 39 11 a. To a county with a population between 189,000 and
 39 12 196,000 in the last preceding certified federal census for
 39 13 rehabilitation of a flood damaged public service center:
 39 14 \$ 4,500,000

Cash Reserve Fund appropriation to the Iowa Finance Authority for a flood damaged public service center in Linn County.

<p>39 15 b. To a city with a population between 120,500 and 39 16 120,800 in the last preceding certified federal census for 39 17 rehabilitation and renovation of a federal courthouse and to 39 18 meet federal flood mitigation standards: 39 19 \$ 2,100,000</p>	<p>Cash Reserve Fund appropriation to the Iowa Finance Authority for rehabilitation and renovation of a federal courthouse and to meet federal flood mitigation standards in Cedar Rapids.</p>
<p>39 20 Sec. 91. APPROPRIATION ADJUSTMENTS == DEPARTMENT OF 39 21 ADMINISTRATIVE SERVICES. The appropriations to the department 39 22 of administrative services for the fiscal year beginning July 39 23 1, 2010, in 2010 Iowa Acts, Senate File 2367, from the general 39 24 fund of the state shall be increased by \$2,761,100. The number 39 25 of full-time equivalent positions authorized for the department 39 26 of administrative services for the fiscal year beginning 39 27 July 1, 2010, in 2010 Iowa Acts, Senate File 2367, shall be 39 28 increased by 34.40.</p>	<p>Increases the appropriation to the DAS by \$2,761,100 and 34.40 FTE positions for FY 2011.</p> <p>DETAIL: This increase is offset by a corresponding reduction in Section 92 to the DOM to conform to changes in Division V of this Bill that transfer the accounting function to the DAS.</p>
<p>39 29 Sec. 92. APPROPRIATION ADJUSTMENTS == DEPARTMENT OF 39 30 MANAGEMENT. The appropriations to the department of management 39 31 for the fiscal year beginning July 1, 2010, in 2010 Iowa Acts, 39 32 Senate File 2367, from the general fund of the state shall be 39 33 decreased by \$2,761,100. The number of full-time equivalent 39 34 positions authorized for the department of management for the 39 35 fiscal year beginning July 1, 2010, in 2010 Iowa Acts, Senate 40 1 File 2367, shall be decreased by 34.40.</p>	<p>Decreases the appropriation to the DOM by \$2,761,100 and 34.40 FTE positions for FY 2011.</p> <p>DETAIL: This decrease is offset by a corresponding increase in Section 91 to the DAS to conform to changes in Division V of this Bill that transfer the accounting function to DAS.</p>
<p>40 2 Sec. 93. RAILROAD COMPANY == LIMITED LIABILITY. A railroad 40 3 company which alters facilities described in section 327F.2 40 4 pursuant to a written agreement executed on or before December 40 5 31, 2011 with a political subdivision with a population of 40 6 more than 15,100, but less than 15,150, according to the 2000 40 7 certified federal census, to construct a flood mitigation 40 8 project shall receive the limitation on liability contained</p>	<p>Provides that a railroad company not be held liable for damages due to a flood under certain conditions.</p>

40 9 in section 670.4, subsection 8, for its facilities described
40 10 in section 327F.2 governed by the written agreement for any
40 11 damages caused by the alteration due to a flood.

40 12 Sec. 94. IOWA PHARMACY RECOVERY NETWORK. The board of
40 13 pharmacy may use fees retained by the board pursuant to the
40 14 authority granted in section 147.82 for purposes of supporting
40 15 the Iowa pharmacy recovery network.

Permits the Board of Pharmacy to use fees retained by the Board for providing support to the Iowa Pharmacy Recovery Network.

40 16 Sec. 95. RENEWABLE BIOMASS. It is the intent of the general
40 17 assembly that the Iowa power fund board and the department of
40 18 economic development use moneys appropriated to the Iowa power
40 19 fund and the department of economic development to encourage
40 20 projects utilizing biomass made from renewable biomass to
40 21 produce inputs for agricultural purposes that replace products
40 22 that are produced using fossil fuels as the raw materials. The
40 23 projects shall include but not be limited to products such as
40 24 anhydrous ammonia.

Specifies the intent of the General Assembly that appropriations to the Iowa Power Fund are to be used to encourage renewable biomass projects that produce agricultural inputs such as anhydrous ammonia that replace fossil fuels.

40 25 Sec. 96. DEPARTMENT OF CULTURAL AFFAIRS. The department
40 26 of cultural affairs, in its capacity as the state historic
40 27 preservation officer and consulting party for the purpose of
40 28 satisfying the requirements of the federal National Historic
40 29 Preservation Act, shall be no more restrictive than the federal
40 30 agency for which it is acting as such consulting party.

Requires the Department of Cultural Affairs to be no more restrictive than the federal government as it relates to the federal National Historic Preservation Act.

40 31 Sec. 97. BRAILLE AND SIGHT SAVING SCHOOL STUDY.
40 32 1. The state board of regents shall conduct a study to
40 33 examine possible changes to and make recommendations regarding
40 34 the current structure for providing residential services on
40 35 the campus of the Iowa braille and sight saving school and
41 1 to make recommendations regarding appropriate facilities and
41 2 facility utilization. The study shall also examine potential
41 3 partnerships with other state agencies as well as private
41 4 providers of residential services.

Requires the Board of Regents to conduct a study of the Braille and Sight Saving School. Specifies report requirements and representation of the study committee. Requires the Board of Regents to submit a report with recommendations to the Legislative Council by August 31, 2010.

41 5 2. For purposes of conducting the study, the state board of
41 6 regents shall form a committee with representatives of all of
41 7 the following:
41 8 a. Parents of students who are blind or visually impaired.
41 9 b. Constituent organizations for the blind or visually
41 10 impaired.
41 11 c. The department of education.
41 12 d. The department for the blind.
41 13 e. The department of human services.
41 14 f. Area education agencies.
41 15 g. School boards and school board administrators.
41 16 h. The governor's developmental disabilities council.
41 17 i. Administration of the statewide system for vision
41 18 services.
41 19 j. Administration of the Iowa school for the deaf.
41 20 3. By August 31, 2010, the state board of regents shall
41 21 submit a report of the study to the legislative council.

41 22 Sec. 98. PUBLIC LIBRARY SUPPORT LEVY == ELECTION DATE.

41 23 1. Notwithstanding the election date required under
41 24 section 384.12, subsections 1 and 21, a city may submit a
41 25 proposition relating to a public library property tax levy to
41 26 the electorate on a date specified in section 39.2, subsection
41 27 4, paragraph "b", if all of the following conditions are met:
41 28 a. The city is located in whole or in part in an area that
41 29 the governor proclaimed a disaster emergency or the president
41 30 of the United States declared a major disaster, as the result
41 31 of a natural disaster occurring during the period of time
41 32 beginning May 1, 2008, and ending August 1, 2008.
41 33 b. The city contains a public library that was damaged by
41 34 the natural disaster described in paragraph "a".
41 35 2. An election under subsection 1 shall be held not later
42 1 than August 2, 2011.

CODE: Permits a city located in a declared natural disaster area during the summer of 2008 to hold a special election for a public library property tax levy for a damaged public library before August 2, 2011.

42 2 Sec. 99. MH/MR/DD SERVICES FUND TRANSFER. Notwithstanding
42 3 section 331.424A, subsection 5, and section 331.432, subsection

CODE: Permits counties to transfer money from other funds to the counties' Mental Health/Mental Retardation/Developmental Disabilities Services Fund. Requires any county transferring money to report

42 4 3, for the fiscal year beginning July 1, 2010, and ending June
 42 5 30, 2011, a county may transfer moneys from other funds of the
 42 6 county to the county's mental health, mental retardation, and
 42 7 developmental disabilities services fund created in section
 42 8 331.424A. A county transferring moneys from other funds of the
 42 9 county to the county's services fund pursuant to this section
 42 10 shall submit a report detailing the transfers made and funds
 42 11 affected. The county shall submit the report along with the
 42 12 county expenditure and information report submitted by December
 42 13 1, 2010, in accordance with section 331.439.

those transfers by December 1, 2010.

42 14 Sec. 100. PLUMBERS, MECHANICAL PROFESSIONALS, AND
 42 15 CONTRACTORS == EFFECTIVE UPON ENACTMENT.
 42 16 1. Notwithstanding the provisions of section 105.18,
 42 17 subsection 2, paragraph "c", subparagraph (3), to the contrary,
 42 18 the plumbing and mechanical systems board shall, through
 42 19 September 30, 2010, allow a person who has not previously held
 42 20 a license issued under section 105.18 to sit for the state
 42 21 master licensing examination for the applicable discipline if
 42 22 that person submits evidence of work experience which the board
 42 23 deems to be equivalent to forty-eight months experience as a
 42 24 licensed master in the applicable discipline.
 42 25 2. This section, being deemed of immediate importance,
 42 26 takes effect upon enactment.

CODE: Requires the Plumbing and Mechanical Systems Board to permit a person that has not previously held a license to take the State master licensing examination if the Board deems the work experience to be equivalent to 48 months experience as a licensed master. This provision is effective on enactment and applicable through September 30, 2010.

42 27 Sec. 101. LIMITED LIABILITY COMPANIES == BIENNIAL REPORTS.
 42 28 1. The biennial report fee, as determined by the secretary
 42 29 of state in accordance with section 490A.1320, subsection 1,
 42 30 received for reports filed on or after July 1, 2006, shall
 42 31 be credited to the general fund of the state. The biennial
 42 32 report fee shall be due at the time the report is filed. On
 42 33 or after July 1, 2006, such biennial reports shall be due
 42 34 in even-numbered calendar years during the period beginning
 42 35 January 1, and ending April 1, and shall contain information
 43 1 relating to the two-year period immediately preceding the
 43 2 calendar year in which the report is filed.

Requires biennial report fees paid to the Secretary of State to be credited to the General Fund. Requires a limited liability company that has not filed the biennial report for FY 2008 or FY 2010 to file the report on or before June 30, 2010.

DETAIL: This language conforms current practice to the Iowa Code with regard to the deposit of fees to the General Fund.

43 3 2. a. This section, being deemed of immediate importance,
43 4 takes effect upon enactment and applies retroactively to July
43 5 1, 2006.

43 6 b. A limited liability company that has not filed the
43 7 biennial report for 2008 or 2010 shall file such report on or
43 8 before June 30, 2010.

43 9 Sec. 102. Section 8D.13, subsection 5, Code 2009, is amended
43 10 to read as follows:

43 11 5. a. The state shall lease all fiberoptic cable
43 12 facilities or facilities with ~~DS=3~~ sufficient capacity as
43 13 determined by the commission for Part III connections for
43 14 which state funding is provided. ~~The state shall lease~~
43 15 ~~all fiberoptic cable facilities or facilities with DS=3 or~~
43 16 ~~DS=1 capacity for the judicial branch, judicial district~~
43 17 ~~department~~ departments of correctional services, and state
43 18 agency connections for which state funding is provided. In
43 19 determining the capacity to be provided, the commission
43 20 shall consult with the authorized users associated with
43 21 the Part III connections, the judicial branch, the judicial
43 22 district departments of correctional services, and state
43 23 agencies associated with connections for which state funding
43 24 is provided. Such facilities shall be leased from qualified
43 25 providers. The state shall not own such facilities, except for
43 26 those facilities owned by the state as of January 1, 1994.

43 27 b. The lease provisions of this subsection do not apply to a
43 28 school district which elects to provide one hundred percent of
43 29 the financing for the district's connection.

43 30 Sec. 103. Section 16.100A, subsection 6, paragraph d, Code
43 31 Supplement 2009, is amended to read as follows:

43 32 d. General public members shall be reimbursed by the Iowa
43 33 finance authority for actual and necessary expenses incurred
43 34 while engaged in their official duties. ~~Expense payments shall~~
43 35 ~~be made from appropriations made for purposes of this section.~~

44 1 Sec. 104. Section 16.181, subsection 1, paragraph a, Code

CODE: Permits the Iowa Technology and Telecommunications
Commission to determine the fiber optic cable capacity to be leased
for Part III connections.

CODE: Requires members of the Council on Homelessness to be
reimbursed by the Iowa Finance Authority for costs incurred while
performing official duties.

CODE: Adds the Iowa Mortgage Help Initiative as an entity that may

44 2 Supplement 2009, is amended to read as follows:
 44 3 a. A housing trust fund is created within the authority.
 44 4 The moneys in the housing trust fund are annually appropriated
 44 5 to the authority to be used for the development and
 44 6 preservation of affordable housing for low-income people in
 44 7 the state and for the Iowa mortgage help initiative . Payment
 44 8 of interest, recaptures of awards, or other repayments
 44 9 to the housing trust fund shall be deposited in the fund.
 44 10 Notwithstanding section 12C.7, interest or earnings on moneys
 44 11 in the housing trust fund or appropriated to the fund shall
 44 12 be credited to the fund. Notwithstanding section 8.33,
 44 13 unencumbered and unobligated moneys remaining in the fund
 44 14 at the close of each fiscal year shall not revert but shall
 44 15 remain available for expenditure for the same purposes in the
 44 16 succeeding fiscal year.

receive funds from the Housing Trust Fund within the Iowa Finance Authority.

NOTE: The Iowa Mortgage Help Initiative is a program that provides foreclosure prevention assistance and counseling, and includes the Iowa Mortgage Help Hotline. The program operations are currently funded with approximately \$2,900,000 of federal funds.

44 17 Sec. 105. NEW SECTION . 16.188 Workforce housing assistance
 44 18 grant fund.
 44 19 1. A workforce housing assistance grant fund is created
 44 20 under the authority of the Iowa finance authority. The fund
 44 21 shall consist of appropriations made to the fund. The fund
 44 22 shall be separate from the general fund of the state and the
 44 23 balance in the fund shall not be considered part of the balance
 44 24 of the general fund of the state. However, the fund shall be
 44 25 considered a special account for the purposes of section 8.53,
 44 26 relating to generally accepted accounting principles.
 44 27 2. Notwithstanding section 12C.7, subsection 2, interest or
 44 28 earnings on moneys in the fund shall be credited to the fund.
 44 29 3. a. Moneys in the fund in a fiscal year are appropriated
 44 30 to the Iowa finance authority to be used for grants for
 44 31 projects that create workforce housing or for projects that
 44 32 include adaptive reuse of buildings for workforce housing. For
 44 33 purposes of this section, "workforce housing" means housing that
 44 34 is affordable for a household whose income does not exceed one
 44 35 hundred twenty percent of the median income for the area.
 45 1 b. Priority shall be given to the following types of
 45 2 projects:

CODE: Creates the Workforce Housing Assistance Grant Fund under the Iowa Finance Authority to provide financial assistance to workforce housing projects. Defines workforce housing to mean housing that is affordable for households with income not exceeding 125.00% of the median household income for the area. Interest and earnings on moneys in the Fund are credited to the Fund. Limits grants going to any one area used to calculate the median family income to 25.00% of the expenditures from the Workforce Housing Assistance Grant Fund during that fiscal year.

FISCAL IMPACT: The creation of the Workforce Housing Assistance Grant Fund will not have a fiscal impact unless an appropriation is made to the Fund.

45 3 (1) Projects that are eligible for historic preservation
45 4 and cultural and entertainment district tax credits under
45 5 section 404A.1.

45 6 (2) Projects for the construction of new single-family
45 7 dwellings that incorporate one or more energy-efficient
45 8 measures. The authority shall by rule identify the types of
45 9 energy-efficient measures that will qualify a project for
45 10 priority under this subparagraph.

45 11 (3) Projects that utilize new markets tax credits,
45 12 established under the federal Community Renewal Tax Relief Act
45 13 of 2000, Pub. L. No. 106=554, 114 Stat. 2763A, and undertaken
45 14 by a qualified community development entity, as defined in the
45 15 federal Act.

45 16 (4) Projects that are located in an area where other state
45 17 funding has been used to support the creation of new jobs.

45 18 c. In any fiscal year, an area shall not receive grants
45 19 totaling more than twenty-five percent of the moneys expended
45 20 from the fund in that fiscal year. For purposes of this
45 21 paragraph, "area" means the same area used to determine the
45 22 median income under paragraph "a".

45 23 4. Annually, on or before January 15 of each year, the
45 24 authority shall report to the legislative services agency and
45 25 the department of management the status of all projects that
45 26 received moneys from the workforce housing assistance grant
45 27 fund. The report shall include a description of each project,
45 28 the progress of work completed, the total estimated cost of
45 29 each project, a list of all revenue sources being used to fund
45 30 each project, the amount of funds expended, the amount of
45 31 funds obligated, and the date each project was completed or an
45 32 estimated completion date of each project, where applicable.

45 33 5. Payment of moneys from appropriations from the fund shall
45 34 be made in a manner that does not adversely affect the tax
45 35 exempt status of any outstanding bonds issued by the treasurer
46 1 of state pursuant to section 12.87.

46 2 6. The authority shall adopt rules pursuant to chapter 17A
46 3 to administer this section.

46 5 adding the following new subsection:
 46 6 NEW SUBSECTION . 4A. a. During the period of funding for
 46 7 the Iowa power fund as provided in section 469.10, the office
 46 8 of energy independence shall collect data on all grants and
 46 9 loans approved for funding. The department of management and
 46 10 the state agencies associated with the grants and loans shall
 46 11 assist the office with the data collection and in developing
 46 12 the report required by this subsection. The office shall
 46 13 report quarterly to the governor and the general assembly
 46 14 concerning the data.
 46 15 b. The report shall include but is not limited to all of the
 46 16 following:
 46 17 (1) The nature of each grant or loan and its purpose.
 46 18 (2) The status of each grant or loan and the amount and
 46 19 percentage of power fund moneys expended for the grant or loan.
 46 20 (3) The outside funding that is matched or leveraged by
 46 21 power fund moneys.
 46 22 (4) The number of jobs created or retained due to each grant
 46 23 or loan.
 46 24 (5) For each grant or loan, the names of the grant or
 46 25 loan contractors, their state of residence, and the state of
 46 26 residence of the contractors' employees.
 46 27 c. The office shall maintain an internet site that allows
 46 28 citizens to track data on a county-by-county basis.

Fund, to require the Office of Energy Independence, with the assistance of the DOM and State agencies associated with grants and loans from the Fund, to collect data pertaining to the grants and loans. Requires the Office to provide a quarterly report to the Governor and the General Assembly concerning the data collected. Requires the Office to maintain an internet site that allows citizens to track data on a county-by-county basis. The added Section is effective on enactment and applies to all grants and loans whenever made.

46 29 Sec. 107. Section 20.19, Code 2009, is amended to read as
 46 30 follows:
 46 31 20.19 Impasse procedures == agreement of parties.
 46 32 1. As the first step in the performance of their duty to
 46 33 bargain, the public employer and the employee organization
 46 34 shall endeavor to agree upon impasse procedures. Such
 46 35 agreement shall provide for implementation of these impasse
 47 1 procedures not later than one hundred twenty days prior to
 47 2 the certified budget submission date of the public employer.
 47 3 However, if public employees represented by the employee
 47 4 organization are teachers licensed under chapter 272, and the
 47 5 public employer is a school district or area education agency,

CODE: Requires implementation of impasse procedures no later than 120 days prior to the date of the next fiscal year or budget year. This applies to public employers that are not subject to a local budget certification process.

47 6 the agreement shall provide for implementation of impasse
47 7 procedures not later than one hundred twenty days prior to May
47 8 31 of the year when the collective bargaining agreement is
47 9 to become effective. If the public employer is a community
47 10 college, the agreement shall provide for implementation of
47 11 impasse procedures not later than one hundred twenty days prior
47 12 to May 31 of the year when the collective bargaining agreement
47 13 is to become effective. If the public employer is not subject
47 14 to the budget certification requirements of section 24.17 and
47 15 other applicable sections, the agreement shall provide for
47 16 implementation of impasse procedures not later than one hundred
47 17 twenty days prior to the date the next fiscal or budget year of
47 18 the public employer commences. If the parties fail to agree
47 19 upon impasse procedures under the provisions of this section,
47 20 the impasse procedures provided in sections 20.20 to 20.22
47 21 shall apply.

47 22 2. Parties who by agreement are utilizing a cooperative
47 23 alternative bargaining process shall, at the outset of such
47 24 process, agree upon a method and schedule for the completion
47 25 of impasse procedures should they fail to reach a collective
47 26 bargaining agreement through the use of such alternative
47 27 bargaining process.

47 28 Sec. 108. Section 20.20, Code 2009, is amended to read as
47 29 follows:
47 30 20.20 Mediation.
47 31 In the absence of an impasse agreement negotiated pursuant
47 32 to section 20.19 or the failure of either party to utilize its
47 33 procedures, one hundred twenty days prior to the certified
47 34 budget submission date, or one hundred twenty days prior to
47 35 May 31 of the year when the collective bargaining agreement
48 1 is to become effective if public employees represented by the
48 2 employee organization are teachers licensed under chapter
48 3 272 and the public employer is a school district or area
48 4 education agency, the board shall, upon the request of either
48 5 party, appoint an impartial and disinterested person to act
48 6 as mediator. If the public employer is a community college,

CODE: Requires the Public Employment Relations Board to appoint an impartial and disinterested person as mediator when requested by either party to a bargaining agreement process. This applies to public employers that are not subject to a local budget certification process.

48 7 and in the absence of an impasse agreement negotiated pursuant
 48 8 to section 20.19 or the failure of either party to utilize
 48 9 its procedures, one hundred twenty days prior to May 31
 48 10 of the year when the collective bargaining agreement is to
 48 11 become effective, the board, upon the request of either party,
 48 12 shall appoint an impartial and disinterested person to act as
 48 13 mediator. If the public employer is not subject to the budget
 48 14 certification requirements of section 24.17 or other applicable
 48 15 sections and in the absence of an impasse agreement negotiated
 48 16 pursuant to section 20.19, or the failure of either party to
 48 17 utilize its procedures, one hundred twenty days prior to the
 48 18 date the next fiscal or budget year of the public employer
 48 19 commences, the board, upon the request of either party, shall
 48 20 appoint an impartial and disinterested person to act as a
 48 21 mediator. It shall be the function of the mediator to bring
 48 22 the parties together to effectuate a settlement of the dispute,
 48 23 but the mediator may not compel the parties to agree.

48 24 Sec. 109. Section 99B.12A, unnumbered paragraph 1, Code
 48 25 2009, is amended to read as follows:
 48 26 ~~An organization that is exempt from federal income taxes~~
 48 27 ~~under section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6),~~
 48 28 ~~501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal~~
 48 29 ~~Revenue Code as defined in section 422.3, A person~~ shall be
 48 30 authorized to conduct a bingo occasion without a license as
 48 31 otherwise required by this chapter if all of the following
 48 32 requirements are met:

48 33 Sec. 110. Section 99B.17, Code 2009, is amended to read as
 48 34 follows:
 48 35 99B.17 Gambling on credit unlawful == exception .
 49 1 1. A person who tenders and a person who receives any
 49 2 promise, agreement, note, bill, bond, contract, mortgage or
 49 3 other security, or any negotiable instrument, as consideration
 49 4 for any wager or bet, whether or not lawfully conducted or
 49 5 engaged in pursuant to this chapter, commits a misdemeanor.

CODE: Removes the exemption for specific nonprofit organizations from purchasing a license from the Department of Inspections and Appeals for the operation of bingo games. Permits an individual meeting specific qualifications to be exempted from purchasing a license for the operation of bingo games.

CODE: Permits tickets from raffles conducted by eligible qualified organizations may to be purchased by check, money order, or debit card. Requires the Department of Inspections and Appeals to adopt rules that set a minimum standard for the purchase of raffle tickets.

49 6 However, a participant in a bingo occasion or in a contest
49 7 lawful under section 99B.11 may make payment by personal check
49 8 for any entry or participation fee assessed by the sponsor of
49 9 the bingo occasion or contest.

49 10 2. A participant in a raffle conducted by an eligible
49 11 qualified organization may purchase raffle tickets by personal
49 12 check, money order, bank check, cashier's check, electronic
49 13 check, or debit card for one raffle conducted by the eligible
49 14 qualified organization during a calendar year. The department
49 15 shall adopt rules setting minimum standards concerning the
49 16 purchase of raffle tickets as authorized by this subsection
49 17 which shall ensure compliance with applicable federal law and
49 18 for the protection of personal information consistent with
49 19 payment card industry compliance regulations. For purposes
49 20 of this subsection, an "eligible qualified organization" is a
49 21 qualified organization that has conducted a raffle pursuant to
49 22 section 99B.7 during the previous eight consecutive calendar
49 23 years in which the net proceeds are distributed to a museum.

49 24 Sec. 111. Section 123.30, subsection 3, paragraph e,
49 25 subparagraph (1), Code Supplement 2009, is amended to read as
49 26 follows:

49 27 (1) A class "E" liquor control license may be issued and
49 28 shall authorize the holder to purchase alcoholic liquor from
49 29 the division only and high alcoholic content beer from a class
49 30 "AA" beer permittee only and to sell the alcoholic liquor and
49 31 high alcoholic content beer to patrons for consumption off
49 32 the licensed premises and to other liquor control licensees.
49 33 A class "E" license shall not be issued to premises at which
49 34 gasoline is sold. A holder of a class "E" liquor control
49 35 license may hold other retail liquor control licenses or
50 1 retail wine or beer permits, but the premises licensed under a
50 2 class "E" liquor control license shall be separate from other
50 3 licensed premises, though the separate premises may have a
50 4 common entrance. However, the holder of a class "E" liquor
50 5 control license may also hold a class "B" wine or class "C"
50 6 beer permit or both for the premises licensed under a class "E"

CODE: Permits Class E liquor license holders to purchase high alcohol content beer from a Class AA beer permit holder.

NOTE: This Section is effective retroactively to March 10, 2010.

50 7 liquor control license.

50 8 Sec. 112. Section 155A.6A, subsection 3, Code 2009, is
50 9 amended to read as follows:

50 10 3. a. Beginning ~~July 1, 2009~~ December 31, 2012, a person
50 11 who is in the process of acquiring national certification
50 12 as a pharmacy technician and who is in training to become a
50 13 pharmacy technician shall register with the board as a pharmacy
50 14 technician. The registration shall be issued for a period not
50 15 to exceed one year and shall not be renewable.

50 16 b. A person who is registered as a pharmacy technician or a
50 17 pharmacy technician trainee prior to January 1, 2010, who has
50 18 worked as a pharmacy technician or pharmacy technician trainee
50 19 for a minimum of two thousand hours in the previous eighteen
50 20 months under the direction of a licensed pharmacist shall have
50 21 until December 31, 2013, to attain certification pursuant to
50 22 this section. The supervising pharmacist shall be responsible
50 23 for verifying with the Iowa board of pharmacy that any person
50 24 affected by this paragraph continues to have a minimum of two
50 25 thousand hours of supervised training in any eighteen-month
50 26 period of time between January 1, 2010, and December 31, 2013.

50 27 Sec. 113. Section 174.1, subsection 2, paragraphs b and c,
50 28 Code 2009, are amended to read as follows:

50 29 b. The organization owns buildings and other improvements
50 30 situated on the fairgrounds which have been specially
50 31 constructed for purposes of conducting a fair event.

50 32 c. The market value of the fairgrounds and buildings and
50 33 other improvements located on the fairgrounds is at least
50 34 ~~eighty~~ twenty-five thousand dollars.

50 35 Sec. 114. Section 174.1, subsection 3, Code 2009, is amended
51 1 to read as follows:

51 2 3. "Fair event" means an annual gathering of the public
51 3 on fairgrounds that incorporates agricultural exhibits,
51 4 demonstrations, shows, or competitions ~~and which includes all~~

CODE: Permits a person registered as a pharmacy technician or pharmacy technician trainee before January 1, 2010, that meets specific requirements to have until December 31, 2013, to attain a national certification.

Requires a supervising pharmacist to verify with the Iowa Board of Pharmacy that registered pharmacy technicians or technician trainees have a minimum number of supervised hours of training.

NOTE: This Section is effective on enactment.

CODE: Modifies the definition of county or district fair by noting that an organization can own buildings or other improvements on fairgrounds and reduces the amount of market value for buildings and other improvements on fairgrounds from \$80,000 to \$25,000.

CODE: Modifies the definition of a fair event.

51 5 of the following:

- 51 6 a. Programs that include programs or projects sponsored by
 51 7 4-H clubs, future farmers of America, or the Iowa cooperative
 51 8 extension service in agriculture and home economics of Iowa
 51 9 state university. Other activities may include any of the
 51 10 following:
- 51 11 b. a. Commercial exhibits sponsored by manufacturers or
 51 12 other businesses.
 - 51 13 e. b. Educational programs or exhibits sponsored by
 51 14 governmental entities or nonprofit organizations.
 - 51 15 e. c. Competition in culinary arts, fine arts, or home
 51 16 craft arts.

51 17 Sec. 115. Section 237.3, subsection 2, paragraph f, Code
 51 18 Supplement 2009, is amended to read as follows:

- 51 19 f. Housing, health, safety, and medical care policies
 51 20 for children receiving child foster care. The medical care
 51 21 policies shall include but are not limited to all of the
 51 22 following:
- 51 23 (1) Provision by the department to the foster care provider
 51 24 at or before the time of a child's placement of the child's
 51 25 health records and any other information possessed or known
 51 26 about the health of the child or about a member of the child's
 51 27 family that pertains to the child's health.
 - 51 28 (2) If the health records supplied in accordance with
 51 29 the child's case permanency plan to the foster care provider
 51 30 are incomplete or the provider requests specific health
 51 31 information , provision for obtaining additional health
 51 32 information from the child's parent or other source and
 51 33 supplying the additional information to the foster care
 51 34 provider.
 - 51 35 (3) Provision for emergency health coverage of the child
 52 1 while the child is engaged in temporary out-of-state travel
 52 2 with the child's foster family.

CODE: Directs the DHS to provide for a request from a foster care provider for specific health information pertaining to a child in their care, in the administrative rules that the Department promulgates relating to the topic of health records.

52 3 Sec. 116. Section 237.3, subsection 2, paragraph k,

CODE: Requires the DHS to provide information related to potential

52 4 subparagraph (1), Code Supplement 2009, is amended to read as
52 5 follows:
52 6 (1) Receiving information prior to the child's placement
52 7 regarding risk factors concerning the child that are known to
52 8 the department, including but not limited to notice if the
52 9 child is required to register under chapter 692A .

risk factors concerning children that are listed in the Sex Offender Registry to individuals providing foster care.

52 10 Sec. 117. 2010 Iowa Acts, Senate File 2378, section 20,
52 11 subsection 1, if enacted, is amended to read as follows:
52 12 1. A public safety enforcement fund is created in the
52 13 state treasury under the control of the treasurer of state.
52 14 Notwithstanding section 602.8108, after the necessary amount is
52 15 remitted for deposit in the Iowa prison infrastructure fund as
52 16 provided in section 602.8108A, the state court administrator
52 17 shall allocate to the treasurer of state for deposit in the
52 18 public safety enforcement fund the ~~first~~ next nine million one
52 19 hundred thousand dollars of the moneys received under section
52 20 602.8108, subsection 2, during the fiscal year beginning July
52 21 1, 2010, and ending June 30, 2011. Moneys deposited into the
52 22 fund are appropriated to the treasurer of state for allocation
52 23 as provided in subsection 2.

CODE: Amends SF 2378 (FY 2011 Justice System Appropriations Bill) to clarify that the judicial fines collected by the State and deposited in the Public Safety Enforcement Fund will occur after the first \$9,500,000 is deposited in the Prison Infrastructure Fund to meet the requirements of funding the debt service obligation on the prison infrastructure bonds. The next \$9,100,000 will be deposited in the Public Safety Enforcement Fund.

52 24 Sec. 118. Section 256.9, Code Supplement 2009, is amended by
52 25 adding the following new subsection:
52 26 NEW SUBSECTION . 18A. The department shall compile the
52 27 financial information related to chapters 423E and 423F from
52 28 the certified annual reports of each school district received
52 29 pursuant to section 291.10, subsection 2, and shall submit the
52 30 information to the general assembly in an annual report each
52 31 February 1.

CODE: Requires the Department of Education to collect information pertaining to school district uses and expenditure of Secure an Advanced Vision for Education (SAVE) funds. Requires the Department of Education to submit an annual report to the General Assembly by February 1.

52 32 Sec. 119. NEW SECTION . 261D.4 Payment of dues.
52 33 On an annual basis, the department of management shall
52 34 apportion the dues assessed for membership in the midwestern
52 35 higher education compact to various sectors of education
53 1 including the department of education, the community college

CODE: Requires the DOM to pay the annual Midwest Higher Education Compact (MHEC) dues and apportion the costs among various educational entities, including the Department of Education, Community College Trustees, Iowa Association of Independent Colleges and Universities, and the Board of Regents, in proportion to

53 2 trustees, the Iowa association of independent colleges
 53 3 and universities, and the state board of regents. The
 53 4 apportionment shall be based on actual savings achieved in the
 53 5 previous fiscal year by each sector of education in a manner
 53 6 determined by the department of management. The department
 53 7 of management shall make payment on behalf of the state to
 53 8 the midwestern higher education compact commission and shall
 53 9 seek reimbursement from each sector of education based on the
 53 10 apportionment determined by the department.

the savings each achieved in the previous fiscal year.

53 11 Sec. 120. Section 291.10, Code 2009, is amended to read as
 53 12 follows:

53 13 291.10 Reports by secretary.

53 14 1. The school district shall file an annual report with the
 53 15 director of the department of education on forms prepared for
 53 16 that purpose.

53 17 2. The annual report shall include the financial
 53 18 information required in section 423F.5, subsection 1, as
 53 19 related to moneys received under chapter 423E or 423F, as
 53 20 applicable, for each budget year.

CODE: Requires school districts to report use and expenditures of Secure an Advanced Vision for Education (SAVE) funds annually to the Department of Education.

DETAIL: This Section corresponds with Section 118 of the Bill.

53 21 Sec. 121. Section 314.17, as amended by 2010 Iowa Acts,
 53 22 House File 2458, if enacted, is amended by adding the following
 53 23 new subsections:

53 24 NEW SUBSECTION . 7. Within fifty feet of a drainage tile or
 53 25 tile intake.

53 26 NEW SUBSECTION . 8. For access to a mailbox or for other
 53 27 accessibility purposes.

53 28 NEW SUBSECTION . 9. On rights-of-way adjacent to
 53 29 agricultural demonstration or research plots.

CODE: Adds additional specifications in regards to mowing on interstate highways, primary highways, and secondary roads.

53 30 Sec. 122. Section 321.18, Code Supplement 2009, is amended
 53 31 by adding the following new subsection:

53 32 NEW SUBSECTION . 10. Any trailer that is used exclusively
 53 33 for the transportation, display, and distribution of flags

CODE: Exempts certain trailers used exclusively for transportation, display, and distribution of flags for deceased veterans in parades, ceremonies, or for patriotic occasions from vehicle registration fees. Requires a local government of the community for the event to approve a resolution to be eligible for the exemption and requires the

53 34 honoring deceased veterans in parades or ceremonies held on
 53 35 Memorial Day, Veterans Day, or other patriotic occasions
 54 1 as authorized by resolution of the local government of the
 54 2 community where the parade or ceremony takes place. A trailer
 54 3 exempt from registration under this subsection shall only be
 54 4 used on city streets or secondary roads on the day of a parade
 54 5 or ceremony specified in the local government's resolution, and
 54 6 a copy of the resolution shall be carried at all times in the
 54 7 vehicle pulling the trailer.

resolution to be displayed in the vehicle pulling the trailer while on the city street or secondary road specified in the resolution.

54 8 Sec. 123. Section 321.482A, unnumbered paragraph 1, Code
 54 9 2009, is amended to read as follows:
 54 10 Notwithstanding section 321.482, a person who is convicted
 54 11 of operating a motor vehicle in violation of section
 54 12 321.256, 321.257, section 321.275, subsection 4, section
 54 13 321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305,
 54 14 321.306, 321.307, 321.308, section 321.309, subsection 2, or
 54 15 section 321.311, 321.319, 321.320, 321.321, 321.322, 321.323,
 54 16 321.323A, 321.324, 321.324A, 321.327, 321.329, or 321.333
 54 17 causing serious injury to or the death of another person may be
 54 18 subject to the following penalties in addition to the penalty
 54 19 provided for a scheduled violation in section 805.8A or any
 54 20 other penalty provided by law:

CODE: Adds Code Sections 321.256 (failure to obey an official traffic control device) and 321.257 (failure to obey an official traffic control signal) to the list of violations under Code Section 321.482A that can be enhanced if the violation results in serious injury or death.

54 21 Sec. 124. Section 421.27, subsection 6, Code 2009, is
 54 22 amended to read as follows:
 54 23 6. Improper receipt of refund or credit. A person who makes
 54 24 an erroneous application for refund or credit shall be liable
 54 25 for any overpayment received or tax liability reduced plus
 54 26 interest at the rate in effect under section 421.7. In
 54 27 addition, a person who willfully makes a false or frivolous
 54 28 application for refund or credit with intent to evade tax
 54 29 or with intent to receive a refund or credit to which the
 54 30 person is not entitled is guilty of a fraudulent practice
 54 31 and is liable for a penalty equal to seventy-five percent of
 54 32 the refund or credit being claimed. ~~Repayments~~ Payments ,

CODE: Applies the same penalties currently in place for filing false or frivolous claims for tax refunds to also include false and frivolous claims for tax credits.

FISCAL IMPACT: Increasing penalties should reduce the number of taxpayers making claims for tax credits to which they are not entitled. The savings to the State would be a reduction in the number of taxpayer enforcement actions required of the Department of Revenue.

54 33 penalties, and interest due under this subsection may be
 54 34 collected and enforced in the same manner as the tax imposed.

54 35 Sec. 125. Section 421C.3, subsection 15, if enacted by 2010
 55 1 Iowa Acts, Senate File 2383, is amended to read as follows:
 55 2 15. a. The director of revenue shall establish an account
 55 3 and shall deposit in the account all receipts received under
 55 4 the program established by the state debt coordinator. Not
 55 5 later than the fifteenth day of each month, the director shall
 55 6 deposit amounts received with the treasurer of state for
 55 7 deposit in the general fund of the state.
 55 8 b. Of the amount of debt actually collected pursuant to
 55 9 the program, the department of revenue shall retain an amount,
 55 10 not to exceed the amount collected, that is sufficient to pay
 55 11 for salaries, support, maintenance, services, advertising,
 55 12 and other costs incurred by the coordinator relating to the
 55 13 program. Revenues retained by the office pursuant to this
 55 14 lettered paragraph shall be considered repayment receipts as
 55 15 defined in section 8.2.

CODE: Permits money collected through the Debt Settlement Program to be used to pay for salaries, support, maintenance, services, advertising, and other costs incurred by the Office of the State Debt Coordinator.

DETAIL: The Debt Settlement Program is effective January 1, 2011, and is repealed on January 1, 2014.

55 16 Sec. 126. Section 455A.13, Code 2009, is amended to read as
 55 17 follows:
 55 18 455A.13 State nurseries.
 55 19 1. Notwithstanding section 17A.2, subsection 11,
 55 20 paragraph "g", the department of natural resources shall adopt
 55 21 administrative rules establishing a range of prices of plant
 55 22 material grown at the state forest nurseries to cover all
 55 23 expenses related to the growing of the plants. The department
 55 24 is authorized to sell plant material in other states.
 55 25 ~~4.~~ 2. The department shall develop programs to encourage
 55 26 the wise management and preservation of existing woodlands
 55 27 and shall continue its efforts to encourage forestation and
 55 28 reforestation on private and public lands in the state.
 55 29 ~~2.~~ 3. The department shall encourage a cooperative
 55 30 relationship between the state forest nurseries and private
 55 31 nurseries in the state in order to achieve these goals.

CODE: Authorizes the DNR to sell plant material to other states.

FISCAL IMPACT: This provision will not have a fiscal impact for FY 2011; however, sales are expected to increase revenue to the Land and Conservation Fund by \$500,000 beginning in FY 2012 and each year after. Funds in the Land and Conservation Fund are used by the DNR to pay for expenditures related to the operations of the State Forest Nursery.

55 32 Sec. 127. Section 466B.4, subsection 2, Code Supplement
55 33 2009, is amended to read as follows:
55 34 2. Marketing campaign. The water resources coordinating
55 35 council shall develop a marketing campaign to educate Iowans
56 1 about the need to take personal responsibility for the quality
56 2 and quantity of water in their local watersheds. The emphasis
56 3 of the campaign shall be that not only is everyone responsible
56 4 for clean water, but that everyone benefits from it as well and
56 5 and that everyone is responsible for and benefits from reducing
56 6 the risk for flooding and mitigating possible future flood
56 7 damage. The goals of the campaign shall be to convince Iowans
56 8 to take personal responsibility for clean water and reducing
56 9 the risk of flooding and to equip them with the tools necessary
56 10 to effect change through local water quality improvement
56 11 projects and better flood plain management and flood risk
56 12 programs.

56 13 Sec. 128. NEW SECTION. 466B.12 Flood plain managers.
56 14 The council shall encourage and support the formation of
56 15 a chapter of the association of state flood plain managers
56 16 in Iowa that would provide a vehicle for local flood
56 17 plain managers and flood plain planners to further pursue
56 18 professional educational opportunities.

56 19 Sec. 129. NEW SECTION. 466B.13 Flood education.
56 20 The Iowa state university agricultural extension service,
56 21 the council, and agency members of the council shall, to the
56 22 extent feasible, work with flood plain and hydrology experts
56 23 to educate the general public about flood plains, flood risks,
56 24 and basic flood plain management principles. This educational
56 25 effort shall include developing educational materials and
56 26 programs in consultation with flood plain experts.

56 27 Sec. 130. Section 600C.1, Code 2009, is amended by striking
56 28 the section and inserting in lieu thereof the following:

CODE: Requires the Water Resources Coordinating Council to develop a marketing campaign to educate Iowa citizens to take responsibility for water quality and water quantity in local watersheds. Requires campaign to emphasize the benefits of reducing flooding risks and mitigating future flood damage.

CODE: Requires the Water Resources Coordinating Council to support the formation of an Iowa Chapter of the Association of State Flood Plain Managers to increase educational opportunities related to flood plain issues in Iowa.

CODE: To the extent feasible, requires the Iowa State University Agricultural Extension Service, the Water Resources Coordinating Council, and agency members of the Council to work with flood plain and hydrology experts to educate the public about flood plains, flood plain risks, and basic flood plain principles.

CODE: Allows a grandparent or great-grandparent to petition the court for visitation of a grandchild or great-grandchild when the parent

56 29 600C.1 Grandparent and great=grandparent visitation.
56 30 1. The grandparent or great=grandparent of a minor child
56 31 may petition the court for grandchild or great=grandchild
56 32 visitation when the parent of the minor child, who is the child
56 33 of the grandparent or the grandchild of the great=grandparent,
56 34 is deceased.

of the child is deceased.

56 35 2. The court shall consider a fit parent's objections
57 1 to granting visitation under this section. A rebuttable
57 2 presumption arises that a fit parent's decision to deny
57 3 visitation to a grandparent or great=grandparent is in the best
57 4 interest of a minor child.

CODE: Requires the court to consider a parent's objections to granting visitation rights if it is in the best interest of the child.

57 5 3. The court may grant visitation to the grandparent or
57 6 great=grandparent under this section if the court finds all of
57 7 the following by clear and convincing evidence:
57 8 a. It is in the best interest of the child to grant such
57 9 visitation.
57 10 b. The grandparent or great=grandparent has established a
57 11 substantial relationship with the child prior to the filing of
57 12 the petition.
57 13 c. That the presumption that the parent who is being
57 14 asked to temporarily relinquish care, custody, and control of
57 15 the child to provide visitation is fit to make the decision
57 16 regarding visitation is overcome by demonstrating one of the
57 17 following:
57 18 (1) The parent is unfit to make such decision.
57 19 (2) The parent's judgment has been impaired and the relative
57 20 benefit to the child of granting visitation greatly outweighs
57 21 any effect on the parent=child relationship. Impaired judgment
57 22 of a parent may be evidenced by any of, but not limited to, the
57 23 following:
57 24 (a) Neglect of the child.
57 25 (b) Abuse of the child.
57 26 (c) Violence toward the child.
57 27 (d) Indifference or absence of feeling toward the child.

CODE: Allows the court to grant visitation to the grandparent or great-grandparent if certain conditions are met and establishes criteria for the court in determining what is in the best interest of the child.

57 28 (e) Demonstrated unwillingness and inability to promote the
57 29 emotional and physical well-being of the child.
57 30 (f) Drug abuse.
57 31 (g) A diagnosis of mental illness.

57 32 4. In determining the best interest of the child, the court
57 33 shall consider all of the following:
57 34 a. The prior interaction and interrelationships of the
57 35 child with the child's parents, siblings, and other persons
58 1 related by consanguinity or affinity, compared to the child's
58 2 relationship with the grandparent or great-grandparent.
58 3 b. The geographical location of the grandparent's or
58 4 great-grandparent's residence and the distance between the
58 5 grandparent's or great-grandparent's residence and the child's
58 6 residence.
58 7 c. The child's and parent's available time, including but
58 8 not limited to the parent's employment schedule, the child's
58 9 school schedule, the amount of time that will be available
58 10 for the child to spend with siblings, and the child's and the
58 11 parent's holiday and vacation schedules.
58 12 d. The age of the child.
58 13 e. If the court has interviewed the child in chambers
58 14 as provided in this section regarding the wishes and
58 15 concerns of the child as to visitation by the grandparent or
58 16 great-grandparent or as to a specific visitation schedule, the
58 17 wishes and concerns of the child, as expressed to the court.
58 18 f. The health and safety of the child.
58 19 g. The mental and physical health of all parties.
58 20 h. Whether the grandparent or great-grandparent previously
58 21 has been convicted of or pleaded guilty to any criminal
58 22 offense involving any act that resulted in a child being an
58 23 abused child or a neglected child; whether the grandparent
58 24 or great-grandparent previously has been convicted of or
58 25 pleaded guilty to a crime involving a victim who at the time
58 26 of the commission of the offense was a member of the family
58 27 or household that is the subject of the current proceeding;
58 28 and whether there is reason to believe that the grandparent or

CODE: Establishes criteria for the court in determining what is in the best interest of the child.

58 29 great=grandparent has acted in a manner resulting in a child
58 30 having ever been found to be an abused child or a neglected
58 31 child.

58 32 i. The wishes and concerns of the child's parent, as
58 33 expressed by the parent to the court.

58 34 j. Any other factor in the best interest of the child.

58 35 5. For the purposes of this subsection "substantial
59 1 relationship" includes but is not limited to any of the
59 2 following:

59 3 a. The child has lived with the grandparent or
59 4 great=grandparent for at least six months.

59 5 b. The grandparent or great=grandparent has voluntarily and
59 6 in good faith supported the child financially in whole or in
59 7 part for a period of not less than six months.

59 8 c. The grandparent or great=grandparent has had frequent
59 9 visitation including occasional overnight visitation with the
59 10 child for a period of not less than one year.

CODE: Defines "substantial relationship" relating to a child's relationship with a grandparent or great-grandparent.

59 11 6. If the court interviews any child concerning the child's
59 12 wishes and concerns regarding parenting time or visitation, the
59 13 interview shall be conducted in chambers, and only the child,
59 14 the child's attorney, the judge, any necessary court personnel,
59 15 and, in the judge's discretion, the attorney of the parent
59 16 shall be permitted to be present in the chambers during the
59 17 interview. A person shall not obtain or attempt to obtain from
59 18 a child a written or recorded statement or affidavit setting
59 19 forth the wishes and concerns of the child regarding parenting
59 20 time or visitation.

CODE: Establishes procedures for the court relating to interviewing a child concerning the child's wishes and concerns regarding parenting time and visitation.

59 21 7. For the purposes of this section, "court" means the
59 22 district court or the juvenile court if that court currently
59 23 has jurisdiction over the child in a pending action. If an
59 24 action is not pending, the district court has jurisdiction.

CODE: Defines the term "court" as it relates to this Section.

59 25 8. Notwithstanding any provision of this chapter to the

CODE: Requires the venue for a court proceeding relating to

59 26 contrary, venue for any action to establish, enforce, or modify
59 27 visitation under this section shall be in the county where the
59 28 child resides if no final custody order determination relating
59 29 to the grandchild or great=grandchild has been entered by any
59 30 other court. If a final custody order has been entered by any
59 31 other court, venue shall be located exclusively in the county
59 32 where the most recent final custody order was entered. If
59 33 any other custodial proceeding is pending when an action to
59 34 establish, enforce, or modify visitation under this section is
59 35 filed, venue shall be located exclusively in the county where
60 1 the pending custodial proceeding was filed.

visitation to be held in the county where the child resides. If a final custody order has been issued by another court, venue will be located in the county where the most recent custody order was entered.

60 2 9. Notice of any proceeding to establish, enforce, or
60 3 modify visitation under this section shall be personally served
60 4 upon the parent of the child whose interests are affected
60 5 by a proceeding brought pursuant to this section and all
60 6 grandparents or great=grandparents who have previously obtained
60 7 a final order or commenced a proceeding under this section.

CODE: Requires a notice of any visitation-related proceeding to be personally served on the parent.

60 8 10. The court shall not enter any temporary order to
60 9 establish, enforce, or modify visitation under this section.

CODE: Prohibits the court from entering a temporary order affecting visitation.

60 10 11. An action brought under this section is subject to
60 11 chapter 598B, and in an action brought to establish, enforce,
60 12 or modify visitation under this section, each party shall
60 13 submit in its first pleading or in an attached affidavit all
60 14 information required by section 598B.209.

CODE: Specifies that an action brought under this Section is subject to Code Chapter 598B (Uniform Child-Custody Jurisdiction and Enforcement).

60 15 12. A grandparent or great=grandparent shall not petition
60 16 for visitation under this section more than once every two
60 17 years absent a showing of good cause.

CODE: Restricts a grandparent or great-grandparent from petitioning for visitation more than once every two years.

60 18 13. The court shall not issue an order restricting the
60 19 movement of the child if such restriction is solely for the

CODE: Prohibits the court from issuing an order to restrict the relocation of a child solely for the purpose of allowing the grandparent

60 20 purpose of allowing the grandparent or great=grandparent
 60 21 the opportunity to exercise the grandparent's or
 60 22 great=grandparent's visitation under this section.

or great-grandparent to petition for visitation.

60 23 Sec. 131. NEW SECTION . 514C.26 Autism spectrum disorders
 60 24 coverage.

60 25 1. Notwithstanding the uniformity of treatment requirements
 60 26 of section 514C.6, a group plan established pursuant to chapter
 60 27 509A for employees of the state providing for third=party
 60 28 payment or prepayment of health, medical, and surgical coverage
 60 29 benefits shall provide coverage benefits to covered individuals
 60 30 under twenty=one years of age for the diagnostic assessment
 60 31 of autism spectrum disorders and for the treatment of autism
 60 32 spectrum disorders.

CODE: Creates requirements for certain group health insurance policies, contracts, or plans to provide coverage for the diagnosis and treatment of autism spectrum disorder. The requirements are applicable only to State employee policies. Benefits are required for covered individuals under 21 years of age.

The maximum coverage amount is not to exceed \$36,000 annually. An autism service provider that provides treatments must be certified as a Behavioral Analyst by the Behavior Analyst Certification Board or must be a licensed health professional.

60 33 2. As used in this section, unless the context otherwise
 60 34 requires:

Coverage for the diagnosis and treatment of autism spectrum disorders is currently provided under the State of Iowa employee plan provisions in Code Section 514C.22. Under the proposed legislation, the definition of autism spectrum disorders and treatments is broadened to include applied behavior analysis.

60 35 a. "Applied behavioral analysis" means the design,
 61 1 implementation, and evaluation of environmental modifications,
 61 2 using behavioral stimuli and consequences, to produce socially
 61 3 significant improvement in human behavior or to prevent loss
 61 4 of attained skill or function, including the use of direct
 61 5 observation, measurement, and functional analysis of the
 61 6 relations between environment and behavior.

FISCAL IMPACT: The estimated fiscal impact is a \$132,000 increase in General Fund expenditures for FY 2011 and subsequent fiscal years for the cost of additional claims. Section 83.2 of this Bill appropriates \$140,000 from the Underground Storage Tank Fund to the DAS for costs associated with autism spectrum disorder coverage.

61 7 b. "Autism service provider" means a person, or group
 61 8 providing treatment of autism spectrum disorders. An autism
 61 9 service provider that provides treatment of autism spectrum
 61 10 disorders that includes applied behavioral analysis shall
 61 11 be certified as a behavior analyst by the behavior analyst
 61 12 certification board or shall be a health professional licensed
 61 13 under chapter 147.

61 14 c. "Autism spectrum disorders" means any of the pervasive
 61 15 developmental disorders including autistic disorder, Asperger's
 61 16 disorder, and pervasive developmental disorders not otherwise
 61 17 specified. The commissioner, by rule, shall define "autism
 61 18 spectrum disorders" consistent with definitions provided in the
 61 19 most recent edition of the American psychiatric association's
 61 20 diagnostic and statistical manual of mental disorders, as such

61 21 definitions may be amended from time to time. The commissioner
61 22 may adopt the definitions provided in such manual by reference.
61 23 d. "Diagnostic assessment of autism spectrum disorders" means
61 24 medically necessary assessment, evaluations, or tests performed
61 25 by a licensed physician, licensed physician assistant, licensed
61 26 psychologist, or licensed registered nurse practitioner to
61 27 diagnose whether an individual has an autism spectrum disorder.
61 28 e. "Pharmacy care" means medications prescribed by a
61 29 licensed physician, licensed physician assistant, or licensed
61 30 registered nurse practitioner and any assessment, evaluation,
61 31 or test prescribed or ordered by a licensed physician, licensed
61 32 physician assistant, or licensed registered nurse practitioner
61 33 to determine the need for or effectiveness of such medications.
61 34 f. "Psychiatric care" means direct or consultative services
61 35 provided by a licensed physician who specializes in psychiatry.
62 1 g. "Psychological care" means direct or consultative
62 2 services provided by a licensed psychologist.
62 3 h. "Rehabilitative care" means professional services and
62 4 treatment programs, including applied behavioral analysis,
62 5 provided by an autism service provider to produce socially
62 6 significant improvement in human behavior or to prevent loss
62 7 of attained skill or function.
62 8 i. "Therapeutic care" means services provided by a licensed
62 9 speech pathologist, licensed occupational therapist, or
62 10 licensed physical therapist.
62 11 j. "Treatment of autism spectrum disorders" means treatment
62 12 that is identified in a treatment plan and includes medically
62 13 necessary pharmacy care, psychiatric care, psychological care,
62 14 rehabilitative care, and therapeutic care that is one of the
62 15 following:
62 16 (1) Prescribed, ordered, or provided by a licensed
62 17 physician, licensed physician assistant, licensed psychologist,
62 18 licensed social worker, or licensed registered nurse
62 19 practitioner.
62 20 (2) Provided by an autism service provider.
62 21 (3) Provided by a person, entity, or group that works under
62 22 the direction of an autism service provider.
62 23 k. "Treatment plan" means a plan for the treatment of

62 24 autism spectrum disorders developed by a licensed physician or
62 25 licensed psychologist pursuant to a comprehensive evaluation
62 26 or reevaluation performed in consultation with the patient and
62 27 the patient's representative.

62 28 3. Coverage is required pursuant to this section in a
62 29 maximum benefit amount of not more than thirty=six thousand
62 30 dollars per year but shall not be subject to any limits
62 31 on the number of visits to an autism service provider for
62 32 treatment of autism spectrum disorders. Beginning in 2014,
62 33 the commissioner shall, on or before April 1 of each calendar
62 34 year, publish an adjustment to the maximum benefit required
62 35 equal to the percentage change in the United States department
63 1 of labor consumer price index for all urban consumers in the
63 2 preceding year, and the published adjusted maximum benefit
63 3 shall be applicable to group policies, contracts, or plans
63 4 subject to this section that are issued or renewed on or after
63 5 January 1 of the following calendar year. Payments made under
63 6 a group plan subject to this section on behalf of a covered
63 7 individual for treatment of a health condition unrelated to or
63 8 distinguishable from the individual's autism spectrum disorder
63 9 shall not be applied toward any maximum benefit established
63 10 under this subsection.

63 11 4. Coverage required pursuant to this section shall be
63 12 subject to copayment, deductible, and coinsurance provisions,
63 13 and any other general exclusions or limitations of a group
63 14 plan to the same extent as other medical or surgical services
63 15 covered by the group plan.

63 16 5. Coverage required by this section shall be provided
63 17 in coordination with coverage required for the treatment of
63 18 autistic disorders pursuant to section 514C.22.

63 19 6. This section shall not be construed to limit benefits
63 20 which are otherwise available to an individual under a group
63 21 plan.

63 22 7. This section shall not be construed to require coverage
63 23 by a group plan of any service solely based on inclusion of the
63 24 service in an individualized education program. Consistent
63 25 with federal or state law and upon consent of the parent or
63 26 guardian of a covered individual, the treatment of autism

63 27 spectrum disorders may be coordinated with any services
63 28 included in an individualized education program. However,
63 29 coverage for the treatment of autism spectrum disorders
63 30 shall not be contingent upon coordination of services with an
63 31 individualized education program.

63 32 8. This section shall not apply to accident-only,
63 33 specified disease, short-term hospital or medical, hospital
63 34 confinement indemnity, credit, dental, vision, Medicare
63 35 supplement, long-term care, basic hospital and medical=surgical
64 1 expense coverage as defined by the commissioner, disability
64 2 income insurance coverage, coverage issued as a supplement
64 3 to liability insurance, workers' compensation or similar
64 4 insurance, or automobile medical payment insurance, or
64 5 individual accident and sickness policies issued to individuals
64 6 or to individual members of a member association.

64 7 9. A plan established pursuant to chapter 509A for employees
64 8 of the state may manage the benefits provided through common
64 9 methods including but not limited to providing payment of
64 10 benefits or providing care and treatment under a capitated
64 11 payment system, prospective reimbursement rate system,
64 12 utilization control system, incentive system for the use of
64 13 least restrictive and costly levels of care, a preferred
64 14 provider contract limiting choice of specific providers, or
64 15 any other system, method, or organization designed to assure
64 16 services are medically necessary and clinically appropriate.

64 17 10. An insurer may review a treatment plan for treatment
64 18 of autism spectrum disorders once every six months, subject to
64 19 its utilization review requirements, including case management,
64 20 concurrent review, and other managed care provisions. A more
64 21 or less frequent review may be agreed upon by the insured and
64 22 the licensed physician or licensed psychologist developing the
64 23 treatment plan.

64 24 11. For the purposes of this section, the results of a
64 25 diagnostic assessment of autism spectrum disorder shall be
64 26 valid for a period of not less than twelve months, unless a
64 27 licensed physician or licensed psychologist determines that a
64 28 more frequent assessment is necessary.

64 29 12. The commissioner shall adopt rules pursuant to chapter

64 30 17A to implement and administer this section.
 64 31 13. This section applies to plans established pursuant to
 64 32 chapter 509A for employees of the state that are delivered,
 64 33 issued for delivery, continued, or renewed in this state on or
 64 34 after January 1, 2011.

64 35 Sec. 132. Section 729.6, subsection 1, Code 2009, is amended
 65 1 by adding the following new paragraph:
 65 2 NEW PARAGRAPH . OOb. "Genetic services" means the same as
 65 3 defined in 29 U.S.C. 1191b(d)(8).

CODE: Defines the term "genetic services" to mean the same as defined in the United States Code (U.S.C.). This includes genetic testing, genetic counseling, and genetic education.

65 4 Sec. 133. Section 729.6, subsection 1, paragraph c, Code
 65 5 2009, as amended by 2010 Iowa Acts, Senate File 2215, if
 65 6 enacted, is amended to read as follows:
 65 7 c. "Genetic testing" means the same as genetic test as
 65 8 defined in 29 U.S.C. 1191b(d)(7). "Genetic testing" does not
 65 9 mean routine physical measurement, a routine chemical, blood,
 65 10 or urine analysis, a biopsy, an autopsy, or clinical specimen
 65 11 obtained solely for the purpose of conducting an immediate
 65 12 clinical or diagnostic test to detect an existing disease,
 65 13 illness, impairment, or disorder, or a test for drugs or for
 65 14 human immunodeficiency virus infections.

CODE: Specifies that genetic testing does not include the routine physical measurement of certain medical tests relating to the Code Chapter pertaining to the infringement of individual rights.

65 15 Sec. 134. 2010 Iowa Acts, House File 2526, section 11,
 65 16 subsection 24, paragraph b, relating to the medical assistance
 65 17 waiver for the Iowa family planning network, if enacted, is
 65 18 amended to read as follows:
 65 19 b. Implementation of this subsection is contingent upon
 65 20 approval of the medical assistance waiver for the Iowa family
 65 21 planning network by the centers for Medicare and Medicaid
 65 22 services of the United States department of health and human
 65 23 services ~~and upon availability of funding as determined by the~~
 65 24 ~~director of the department of human services .~~

CODE: Eliminates the requirement that the DHS Director determine funding availability before expanding the Medicaid Family Planning Waiver to 300.0% of the federal poverty level and to age 54.

DETAIL: The Waiver expansion will go into effect in FY 2012.

65 25 Sec. 135. 2010 Iowa Acts, Senate File 2378, section 15, if

CODE: Increases the appropriation from the Gaming Enforcement

<p>65 26 enacted, is amended to read as follows: 65 27 SEC. 15. GAMING ENFORCEMENT. There is appropriated from the 65 28 gaming enforcement revolving fund created in section 80.43 to 65 29 the department of public safety for the fiscal year beginning 65 30 July 1, 2010, and ending June 30, 2011, the following amount, 65 31 or so much thereof as is necessary, to be used for the purposes 65 32 designated: 65 33 For any direct and indirect support costs for agents 65 34 and officers of the division of criminal investigation's 65 35 excursion gambling boat, gambling structure, and racetrack 66 1 enclosure enforcement activities, including salaries, support, 66 2 maintenance, miscellaneous purposes, and for not more than the 66 3 following full-time equivalent positions: 66 4 \$ 8,851,775 66 5 <u>9,315,306</u> 66 6 FTEs 115.00</p>	<p>Revolving Fund to the Division of Criminal Investigation of the Department of Public Safety (DPS) by \$463,531 for FY 2011.</p> <p>DETAIL: The DPS will bill the gaming industry for the increased cost and the proceeds will be deposited in the Gaming Enforcement Revolving Fund.</p>
<p>66 7 However, for each additional license to conduct gambling 66 8 games on an excursion gambling boat, gambling structure, or 66 9 racetrack enclosure issued during the period beginning July 1, 66 10 2009, through June 30, 2011, there is appropriated from the 66 11 gaming enforcement fund to the department of public safety for 66 12 the fiscal year beginning July 1, 2010, and ending June 30, 66 13 2011, an additional amount of not more than \$521,000 to be 66 14 used for not more than 6.00 additional full-time equivalent 66 15 positions.</p>	<p>Provides a contingent appropriation from the Gaming Enforcement Revolving Fund of \$521,000 and 6.00 FTE positions to the DPS in the event additional gaming licenses are issued during FY 2011.</p> <p>DETAIL: The DPS will bill the gaming industry for the increased cost and the proceeds will be deposited in the Gaming Enforcement Revolving Fund.</p>
<p>66 16 Sec. 136. REPEAL. 2010 Iowa Acts, House File 2525, section 66 17 6, is repealed.</p>	<p>CODE: Repeals the requirement specified in HF 2525 (FY 2011 Agriculture and Department of Natural Resources Appropriations Bill) that the DNR increase the number of volunteer and intern programs at State parks.</p>
<p>66 18 Sec. 137. EFFECTIVE UPON ENACTMENT AND RETROACTIVE 66 19 APPLICABILITY. The provision of this division of this Act 66 20 amending section 155A.6A, subsection 3, being deemed of</p>	<p>Section 112 regarding pharmacy technicians is effective on enactment and retroactive to January 1, 2010.</p>

66 21 immediate importance, takes effect upon enactment and applies
66 22 retroactively to January 1, 2010.

66 23 Sec. 138. EFFECTIVE UPON ENACTMENT. This provision of this
66 24 division of this Act amending section 155A.6A, being deemed of
66 25 immediate importance, takes effect upon enactment.

Section 112 is effective on enactment.

66 26 Sec. 139. EFFECTIVE UPON ENACTMENT. The provision of this
66 27 division of this Act appropriating moneys from the general
66 28 fund of the state to the department of management and to the
66 29 department of revenue for fiscal year 2009=2010, being deemed
66 30 of immediate importance, takes effect upon enactment.

Section 84 is effective on enactment.

66 31 Sec. 140. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
66 32 APPLICABILITY. The provision of this division of this
66 33 Act amending section 123.30, subsection 3, paragraph "e",
66 34 subparagraph (1), being deemed of immediate importance, takes
66 35 effect upon enactment, and is retroactively applicable to March
67 1 10, 2010.

Section 111 regarding class E liquor licenses is effective on
enactment and retroactive to March 10, 2010.

67 2 Sec. 141. EFFECTIVE DATE. The provision of this division of
67 3 this Act amending section 421.3, if enacted by 2010 Iowa Acts,
67 4 Senate File 2383, takes effect on the effective date of section
67 5 421C.3.

Section 125 regarding the State Debt Coordinator is effective January
1, 2011.

67 6 Sec. 142. EFFECTIVE DATE AND APPLICABILITY. The section of
67 7 this division of this Act enacting section 469.9, subsection
67 8 4A, being deemed of immediate importance, takes effect upon
67 9 enactment, and applies to grants or loans approved on, before,
67 10 and after the effective date of the section.

Section 106 regarding Iowa Power Fund grants and loans is effective
on enactment and applies to grants and loans approved on, before,
and after the effective date.

67 11 DIVISION VIII
67 12 BICYCLES

67 13 Sec. 143. NEW SECTION . 321.281 Actions against bicyclists.
67 14 1. A person operating a motor vehicle shall not steer the
67 15 motor vehicle unreasonably close to or toward a person riding
67 16 a bicycle on a highway, including the roadway or the shoulder
67 17 adjacent to the roadway.
67 18 2. A person shall not knowingly project any object or
67 19 substance at or against a person riding a bicycle on a highway.
67 20 3. A person who violates this section commits a simple
67 21 misdemeanor punishable as a scheduled violation under section
67 22 805.8A, subsection 14, paragraph "k".

CODE: Specifies that bicyclists are protected from specific motor vehicle actions and projectiles. Persons in violation of this Section are subject to a scheduled fine of \$250.

67 23 Sec. 144. Section 805.8A, subsection 14, Code Supplement
67 24 2009, is amended by adding the following new paragraph:
67 25 NEW PARAGRAPH . k. Actions against a person on a bicycle.
67 26 For violations under section 321.281 the scheduled fine is two
67 27 hundred fifty dollars.

CODE: Individuals that violate Code Section 321.281 by steering unreasonably close or throwing things at a bicyclist are guilty of a scheduled violation and required to pay a fine of \$250.

67 28 DIVISION IX
67 29 RENEWABLE FUELS AND COPRODUCTS

67 30 Sec. 145. Section 159A.6, subsection 1, Code Supplement
67 31 2009, is amended to read as follows:
67 32 1. The office shall support education regarding, and
67 33 promotion and advertising of, renewable fuels and coproducts.
67 34 The office shall consult with the petroleum marketers
67 35 and convenience stores of Iowa, the Iowa renewable fuels
68 1 association, the Iowa corn growers association, and the Iowa
68 2 soybean association.

CODE: Requires the Office of Renewable Fuels and Coproducts to consult with the petroleum marketers and convenience stores of Iowa regarding promotion and advertising of renewable fuels and coproducts.

68 3 DIVISION X
68 4 IDENTIFICATION OF WORKER MISCLASSIFICATION

68 5 Sec. 146. Section 421.17, Code 2009, is amended by adding

CODE: Permits the Department of Revenue and the Department of

68 6 the following new subsection:
68 7 NEW SUBSECTION . 31. If the director has reason to believe,
68 8 as a result of an investigation or audit, that a taxpayer may
68 9 have misclassified workers, then to assist the department of
68 10 workforce development, the director is authorized to provide
68 11 to the department of workforce development the following
68 12 confidential information with respect to such a taxpayer:
68 13 a. Withholding and payroll tax information.
68 14 b. The taxpayer's identity, including taxpayer
68 15 identification number and date of birth.
68 16 c. The results or most recent status of the audit or
68 17 investigation.

Workforce Development to share certain taxpayer information for the purposes of identifying misclassified workers.

68 18 Sec. 147. Section 422.20, subsection 3, paragraph a, Code
68 19 2009, is amended to read as follows:
68 20 a. Unless otherwise expressly permitted by section 8A.504,
68 21 section 96.11, subsection 6, section 421.17, subsections 22,
68 22 ~~23, and 26, and 31~~, sections 252B.9, 321.120, 421.19, 421.28,
68 23 422.72, and 452A.63, and this section, a tax return, return
68 24 information, or investigative or audit information shall not
68 25 be divulged to any person or entity, other than the taxpayer,
68 26 the department, or internal revenue service for use in a matter
68 27 unrelated to tax administration.

CODE: Conforming change to authorize the Department of Revenue to provide the Department of Workforce Development with information related to misclassified workers and unemployment compensation that would otherwise be confidential.

68 28 Sec. 148. Section 422.72, subsection 3, paragraph a, Code
68 29 2009, is amended to read as follows:
68 30 a. Unless otherwise expressly permitted by section 8A.504,
68 31 section 96.11, subsection 6, section 421.17, subsections 22,
68 32 ~~23, and 26, and 31~~, sections 252B.9, 321.120, 421.19, 421.28,
68 33 422.20, and 452A.63, and this section, a tax return, return
68 34 information, or investigative or audit information shall not
68 35 be divulged to any person or entity, other than the taxpayer,
69 1 the department, or internal revenue service for use in a matter
69 2 unrelated to tax administration.

CODE: Conforming change to authorize the Department of Revenue to provide the Department of Workforce Development with information related to misclassified workers and unemployment compensation that would otherwise be confidential.

69 3 Sec. 149. EFFECTIVE UPON ENACTMENT. This division of this

Division X is effective on enactment.

69 4 Act, being deemed of immediate importance, takes effect upon
69 5 enactment.

69 6 DIVISION XI
69 7 PUBLIC SAFETY ADVISORY BOARD

69 8 Sec. 150. DEPARTMENT OF HUMAN RIGHTS == DIVISION OF CRIMINAL
69 9 AND JUVENILE JUSTICE PLANNING. There is appropriated from the
69 10 Iowa comprehensive petroleum underground storage tank fund
69 11 established in section 455G.3 to the department of human rights
69 12 for the fiscal year beginning July 1, 2010, and ending June 30,
69 13 2011, the following amount, or so much thereof as is necessary,
69 14 to be used for the purposes designated, notwithstanding section
69 15 455G.3, subsection 1:

69 16 For the division of criminal and juvenile justice planning,
69 17 including salaries, support, maintenance, miscellaneous
69 18 purposes, and for not more than the following full-time
69 19 equivalent positions for the public safety advisory board
69 20 established in section 216A.133A:
69 21 \$ 140,000
69 22 FTEs 2.00

CODE: Underground Storage Tank Fund appropriation to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights to implement the duties of the Public Safety Advisory Board.

DETAIL: The Public Safety Advisory Board is created in this Division of this Bill.

69 23 Sec. 151. Section 216A.131, Code 2009, is amended by adding
69 24 the following new subsection:
69 25 NEW SUBSECTION . 1A. "Board" means the public safety
69 26 advisory board.

CODE: Defines the Public Safety Advisory Board.

69 27 Sec. 152. Section 216A.132, Code 2009, is amended to read
69 28 as follows:
69 29 216A.132 Council established == terms == compensation.
69 30 1. A criminal and juvenile justice planning advisory
69 31 council is established consisting of twenty-three members.
69 32 a. The governor shall appoint seven members each for a
69 33 four-year term beginning and ending as provided in section
69 34 69.19 and subject to confirmation by the senate as follows:

CODE: Amends the membership of the Criminal and Juvenile Justice Advisory Council.

69 35 (1) Three persons, each of whom is a county supervisor,
70 1 county sheriff, mayor, ~~city chief of police, or county~~
70 2 ~~attorney~~ nonsupervisory police officer, or a chief of police of
70 3 a department with less than eleven police officers .
70 4 ~~(2) Two persons who represent the general public and are~~
70 5 ~~not employed in any law enforcement, judicial, or corrections~~
70 6 ~~capacity.~~
70 7 ~~(3) (2) Two persons who are knowledgeable about Iowa's~~
70 8 ~~juvenile justice system.~~
70 9 (3) One person who represents the general public and is
70 10 not employed in any law enforcement, judicial, or corrections
70 11 capacity.
70 12 (4) One person who is either a crime victim, or who
70 13 represents a crime victim organization.
70 14 b. The departments of human services, corrections, and
70 15 public safety, the division on the status of African-Americans,
70 16 the ~~Iowa~~ department of public health, the chairperson of
70 17 the board of parole, the attorney general, the state public
70 18 defender, and the governor's office of drug control policy, and
70 19 ~~the chief justice of the supreme court shall each designate a~~
70 20 ~~person to serve on the council. The person appointed by the~~
70 21 ~~Iowa department of public health shall be from the departmental~~
70 22 ~~staff who administer the comprehensive substance abuse program~~
70 23 ~~under chapter 125.~~
70 24 c. The chief justice of the supreme court shall appoint
70 25 ~~two additional members currently serving as district~~
70 26 ~~judges~~ designate one member who is a district judge and one
70 27 member who is either a district associate judge or associate
70 28 juvenile judge . Two members of the senate and two members of
70 29 ~~the house of representatives shall be ex officio members and~~
70 30 ~~shall be appointed by the majority and minority leaders of~~
70 31 ~~the senate and the speaker and minority leader of the house~~
70 32 ~~of representatives pursuant to section 69.16 and shall serve~~
70 33 ~~terms as provided in section 69.16B. The chairperson and~~
70 34 ranking member of the senate committee on judiciary shall be
70 35 members. In alternating four-year intervals, the chairperson
71 1 and ranking member of the house committee on judiciary or of
71 2 the house committee on public safety shall be members, with the

71 3 chairperson and ranking member of the house committee on public
 71 4 safety serving during the initial interval. Nonlegislative
 71 5 members appointed pursuant to this paragraph shall serve for
 71 6 four-year terms beginning and ending as provided in section
 71 7 69.19 unless the member ceases to serve as a district court
 71 8 judge.
 71 9 d. The Iowa county attorneys association shall designate a
 71 10 person to serve on the council.
 71 11 2. Members of the council shall receive reimbursement from
 71 12 the state for actual and necessary expenses incurred in the
 71 13 performance of their official duties. Members may also be
 71 14 eligible to receive compensation as provided in section 7E.6.

71 15 Sec. 153. Section 216A.133, subsection 1, Code 2009, is
 71 16 amended to read as follows:
 71 17 1. Identify issues and analyze the operation and impact
 71 18 of present criminal and juvenile justice policy and make
 71 19 recommendations for policy changes ~~, including recommendations~~
 71 20 ~~pertaining to efforts to curtail criminal gang activity .~~

CODE: Eliminates the requirement that the Criminal and Juvenile Justice Advisory Council make recommendations relating to criminal gang activity.

71 21 Sec. 154. Section 216A.133, Code 2009, is amended by adding
 71 22 the following new subsections:
 71 23 NEW SUBSECTION . 8. Determine members of the public safety
 71 24 advisory board pursuant to section 216A.133A.
 71 25 NEW SUBSECTION . 9. Coordinate with the administrator to
 71 26 develop and make recommendations to the department director
 71 27 pursuant to section 216A.2.
 71 28 NEW SUBSECTION . 10. Serve as a liaison between the general
 71 29 public and the division.
 71 30 NEW SUBSECTION . 11. Establish advisory committees to study
 71 31 special issues.

CODE: Defines the duties of the Criminal and Juvenile Justice Advisory Council, including the creation of the Public Safety Advisory Board.

71 32 Sec. 155. NEW SECTION . 216A.133A Public safety advisory
 71 33 board == duties.
 71 34 1. A public safety advisory board is established whose
 71 35 membership shall be determined by the criminal and juvenile

CODE: Defines the duties of the Public Safety Advisory Board.

72 1 justice planning advisory council and shall consist of current
72 2 members of the council. Any actions taken by the board shall
72 3 be considered separate and distinct from the council.
72 4 2. The purpose of the board is to provide the general
72 5 assembly with an analysis of current and proposed criminal code
72 6 provisions.
72 7 3. The duties of the board shall consist of the following:
72 8 a. Reviewing and making recommendations relating to current
72 9 sentencing provisions. In reviewing such provisions the board
72 10 shall consider the impact on all of the following:
72 11 (1) Potential disparity in sentencing.
72 12 (2) Truth in sentencing.
72 13 (3) Victims.
72 14 (4) The proportionality of specific sentences.
72 15 (5) Sentencing procedures.
72 16 (6) Costs associated with the implementation of criminal
72 17 code provisions, including costs to the judicial branch,
72 18 department of corrections, and judicial district departments
72 19 of correctional services, costs for representing indigent
72 20 defendants, and costs incurred by political subdivisions of the
72 21 state.
72 22 (7) Best practices related to the department of corrections
72 23 including recidivism rates, safety and efficient use of
72 24 correctional staff, and compliance with correctional standards
72 25 set by the federal government and other jurisdictions.
72 26 (8) Best practices related to the Iowa child death review
72 27 team established in section 135.43 and the Iowa domestic abuse
72 28 death review team established in section 135.109.
72 29 b. Reviewing and making recommendations relating to proposed
72 30 legislation, in accordance with paragraph "a", as set by rule
72 31 by the general assembly or as requested by the executive or
72 32 judicial branch proposing such legislation.
72 33 c. Providing expertise and advice to the legislative
72 34 services agency, the department of corrections, the
72 35 judicial branch, and others charged with formulating fiscal,
73 1 correctional, or minority impact statements.
73 2 d. Reviewing data supplied by the division, the department
73 3 of management, the legislative services agency, the Iowa

73 4 supreme court, and other departments or agencies for the
73 5 purpose of determining the effectiveness and efficiency of the
73 6 collection of such data.
73 7 4. The board may call upon any department, agency, or office
73 8 of the state, or any political subdivision of the state, for
73 9 information or assistance as needed in the performance of its
73 10 duties. The information or assistance shall be furnished to
73 11 the extent that it is within the resources and authority of
73 12 the department, agency, office, or political subdivision.
73 13 This section does not require the production or opening of
73 14 any records which are required by law to be kept private or
73 15 confidential.
73 16 5. The board shall report to the legislative government
73 17 oversight committee all sources of funding by December 1 of
73 18 each year.
73 19 6. Membership on the board shall be bipartisan as provided
73 20 in section 69.16 and gender balanced as provided in section
73 21 69.16A.
73 22 7. Meetings of the board shall be open to the public as
73 23 provided in chapter 21.
73 24 8. Members of the board shall receive reimbursement from
73 25 the state for actual and necessary expenses incurred in the
73 26 performance of their official duties. Members may also be
73 27 eligible to receive compensation as provided in section 7E.6.

73 28 Sec. 156. Section 216A.135, unnumbered paragraph 1, Code
73 29 2009, is amended to read as follows:
73 30 Beginning in 1989, and every five years thereafter, the
73 31 division shall develop a twenty-year criminal and juvenile
73 32 justice plan for the state which shall include ten-year,
73 33 fifteen-year, and twenty-year goals and a comprehensive
73 34 five-year plan for criminal and juvenile justice programs.
73 35 The five-year plan shall be updated annually and each
74 1 twenty-year plan and annual updates of the five-year plan
74 2 shall be submitted to the governor and the general assembly by
74 3 ~~February~~ December 1.

CODE: Changes the due date for the Criminal and Juvenile Justice Plan from February to December 1.

74 4 Sec. 157. APPOINTMENTS TO CRIMINAL AND JUVENILE JUSTICE
74 5 PLANNING ADVISORY COUNCIL. The applicable provisions of
74 6 chapter 69 shall apply to vacant positions on the criminal and
74 7 juvenile justice planning advisory council occurring on or
74 8 after July 1, 2010.

Requires vacancies on the Criminal and Juvenile Justice Planning Advisory Council to be filled pursuant to Code Chapter 69.

74 9 DIVISION XII
74 10 INCOME TAX CHECKOFFS

74 11 Sec. 158. Section 235A.2, subsection 1, Code 2009, is
74 12 amended to read as follows:
74 13 1. A child abuse prevention program fund is created in
74 14 the state treasury under the control of the department of
74 15 human services. The fund is composed of moneys appropriated
74 16 or available to and obtained or accepted by the treasurer of
74 17 state for deposit in the fund. The fund shall include moneys
74 18 transferred to the fund as provided in section ~~422.12K~~ 422.12F .
74 19 All interest earned on moneys in the fund shall be credited to
74 20 and remain in the fund. Section 8.33 does not apply to moneys
74 21 in the fund.

CODE: Reauthorizes the Child Abuse Prevention Program Fund.

74 22 Sec. 159. NEW SECTION . 422.12F Income tax checkoff for
74 23 child abuse prevention program fund.
74 24 1. A person who files an individual or a joint income tax
74 25 return with the department of revenue under section 422.13 may
74 26 designate one dollar or more to be paid to the child abuse
74 27 prevention program fund created in section 235A.2. If the
74 28 refund due on the return or the payment remitted with the
74 29 return is insufficient to pay the additional amount designated
74 30 by the taxpayer to the child abuse prevention program fund,
74 31 the amount designated shall be reduced to the remaining amount
74 32 remitted with the return. The designation of a contribution
74 33 to the child abuse prevention program fund under this section
74 34 is irrevocable.
74 35 2. The director of revenue shall draft the income tax form

CODE: Reauthorizes the income tax checkoff for the Child Abuse Prevention Program Fund.

75 1 to allow the designation of contributions to the child abuse
75 2 prevention program fund on the tax return. The department of
75 3 revenue, on or before January 31, shall transfer the total
75 4 amount designated on the tax return forms due in the preceding
75 5 calendar year to the child abuse prevention program fund.
75 6 However, before a checkoff pursuant to this section shall be
75 7 permitted, all liabilities on the books of the department of
75 8 administrative services and accounts identified as owing under
75 9 section 8A.504 and the political contribution allowed under
75 10 section 68A.601 shall be satisfied.
75 11 3. The department of human services may authorize payment
75 12 of moneys from the child abuse prevention program fund, in
75 13 accordance with section 235A.2.
75 14 4. The department of revenue shall adopt rules to administer
75 15 this section.
75 16 5. This section is subject to repeal under section 422.12E.

75 17 Sec. 160. NEW SECTION . 422.12G Joint income tax refund
75 18 checkoff for veterans trust fund and volunteer fire fighter
75 19 preparedness fund.
75 20 1. A person who files an individual or a joint income tax
75 21 return with the department of revenue under section 422.13 may
75 22 designate one dollar or more to be paid jointly to the veterans
75 23 trust fund created in section 35A.13 and to the volunteer fire
75 24 fighter preparedness fund created in section 100B.13. If the
75 25 refund due on the return or the payment remitted with the
75 26 return is insufficient to pay the additional amount designated
75 27 by the taxpayer, the amount designated shall be reduced to the
75 28 remaining amount of refund or the remaining amount remitted
75 29 with the return. The designation of a contribution under this
75 30 section is irrevocable.
75 31 2. The director of revenue shall draft the income tax form
75 32 to allow the designation of contributions to the veterans trust
75 33 fund and to the volunteer fire fighter preparedness fund as
75 34 one checkoff on the tax return. The department of revenue,
75 35 on or before January 31, shall transfer one-half of the total
76 1 amount designated on the tax return forms due in the preceding

CODE: Reauthorizes the joint income tax refund checkoff for the Veterans Trust Fund and the Volunteer Fire Fighter Preparedness Fund.

76 2 calendar year to the veterans trust fund and the remaining
76 3 one-half to the volunteer fire fighter preparedness fund.
76 4 However, before a checkoff pursuant to this section shall be
76 5 permitted, all liabilities on the books of the department of
76 6 administrative services and accounts identified as owing under
76 7 section 8A.504 and the political contribution allowed under
76 8 section 68A.601 shall be satisfied.
76 9 3. The department of revenue shall adopt rules to administer
76 10 this section.
76 11 4. This section is subject to repeal under section 422.12E.

76 12 Sec. 161. REPEAL. Section 422.12L, Code 2009, is repealed.

CODE: Technical correction regarding the joint income tax refund checkoff for the Veterans Trust Fund and the Volunteer Fire Fighter Preparedness Fund.

76 13 Sec. 162. REPEAL. Section 422.12K, Code Supplement 2009,
76 14 is repealed.

CODE: Technical correction pertaining to the income tax checkoff for the Child Abuse Prevention Program Fund.

76 15 Sec. 163. RETROACTIVE APPLICABILITY. This division of this
76 16 Act applies retroactively to January 1, 2010, for tax years
76 17 beginning on or after that date.

Division XII is effective retroactively to January 1, 2010.

76 18 DIVISION XIII
76 19 WINE

76 20 Sec. 164. Section 123.183, Code 2009, is amended to read as
76 21 follows:

76 22 123.183 Wine gallonage tax and related funds.

76 23 1. In addition to the annual permit fee to be paid by each
76 24 class "A" wine permittee, a wine gallonage tax shall be levied
76 25 and collected from each class "A" wine permittee on all wine
76 26 manufactured for sale and sold in this state at wholesale and
76 27 on all wine imported into this state for sale at wholesale and
76 28 sold in this state at wholesale. A wine gallonage tax shall

CODE: Requires the wine gallonage tax of \$1.75 per gallon to be levied on wine that is shipped direct to a consumer and is not for resale.

Requires the revenue collected from the wine gallonage tax for shipment in Iowa to be deposited in the Wine Gallonage Tax Fund. Proceeds of Wine Gallonage Tax Fund are appropriated to the Department of Economic Development for the sole purpose of promoting Iowa beer and wine.

76 29 also be levied and collected on the direct shipment of wine
 76 30 pursuant to section 123.187. The rate of the wine gallonage
 76 31 tax is one dollar and seventy-five cents for each wine gallon.
 76 32 The same rate shall apply for the fractional parts of a
 76 33 wine gallon. The wine gallonage tax shall not be levied or
 76 34 collected on wine sold by one class "A" wine permittee to
 76 35 another class "A" wine permittee.

77 1 2. a. Revenue collected from the wine gallonage tax on
 77 2 wine manufactured for sale and sold in this state , and on wine
 77 3 subject to direct shipment as provided in section 123.187
 77 4 by a wine manufacturer licensed or permitted pursuant to
 77 5 laws regulating alcoholic beverages in this state, shall be
 77 6 deposited in the wine gallonage tax fund as created in this
 77 7 section.

77 8 b. A wine gallonage tax fund is created in the office
 77 9 of the treasurer of state. Moneys deposited in the fund
 77 10 are appropriated to the department of economic development
 77 11 as provided in section 15E.117. Moneys in the fund are not
 77 12 subject to section 8.33.

77 13 3. The revenue collected from the wine gallonage tax on
 77 14 wine imported into this state for sale at wholesale and sold in
 77 15 this state at wholesale , and on wine subject to direct shipment
 77 16 as provided in section 123.187 by a wine manufacturer licensed
 77 17 or permitted pursuant to laws regulating alcoholic beverages
 77 18 in another state, shall be deposited in the beer and liquor
 77 19 control fund created in section 123.53.

Requires the revenue collected from the wine gallonage tax for shipment to another state to be deposited in the Beer and Liquor Control Fund.

FISCAL IMPACT: The tax is estimated to generate \$200,000 annually in revenue to the Wine Gallonage Tax Fund.

77 20 Sec. 165. Section 123.187, subsection 4, as enacted by 2010
 77 21 Iowa Acts, Senate File 2088, section 100, is amended to read
 77 22 as follows:

77 23 4. a. In addition to the annual license fee, a wine
 77 24 direct shipper licensee shall remit to the division an amount
 77 25 equivalent to the wine gallonage tax on wine subject to direct
 77 26 shipment at the rate specified in section 123.183 for deposit
 77 27 as provided in section 123.183, subsections 2 and 3. The
 77 28 amount shall be remitted at the same time and in the same
 77 29 manner as provided in section 123.184, and the ten percent

CODE: Requires a direct shipper licensee to remit the wine gallonage tax to the Alcoholic Beverages Division.

77 30 penalty specified therein shall be applicable.
 77 31 b. Shipment of wine pursuant to this subsection does not
 77 32 require a refund value for beverage container control purposes
 77 33 under chapter 455C.

77 34 DIVISION XIV
 77 35 MEDICATION THERAPY MANAGEMENT

78 1 Sec. 166. MEDICATION THERAPY MANAGEMENT == PILOT==
 78 2 REPEAL.
 78 3 1. As used in this section unless the context otherwise
 78 4 requires:
 78 5 a. "Eligible employee" means an employee of the state, with
 78 6 the exception of an employee of the state board of regents or
 78 7 institutions under the state board of regents, for whom group
 78 8 health plans are established pursuant to chapter 509A providing
 78 9 for third-party payment or prepayment for health or medical
 78 10 expenses.
 78 11 b. "Medication therapy management" means a systematic
 78 12 process performed by a licensed pharmacist, designed to
 78 13 optimize therapeutic outcomes through improved medication use
 78 14 and reduced risk of adverse drug events, including all of the
 78 15 following services:
 78 16 (1) A medication therapy review and in-person consultation
 78 17 relating to all medications, vitamins, and herbal supplements
 78 18 currently being taken by an eligible individual.
 78 19 (2) A medication action plan, subject to the limitations
 78 20 specified in this section, communicated to the individual and
 78 21 the individual's primary care physician or other appropriate
 78 22 prescriber to address safety issues, inconsistencies,
 78 23 duplicative therapy, omissions, and medication costs. The
 78 24 medication action plan may include recommendations to the
 78 25 prescriber for changes in drug therapy.
 78 26 (3) Documentation and follow-up to ensure consistent levels
 78 27 of pharmacy services and positive outcomes.
 78 28 2. a. Prior to July 1, 2010, the department of

Establishes a pilot program for the State employee health pool for medication therapy management. Defines medication therapy management as a systematic process performed by a licensed pharmacist, designed to optimize therapeutic outcomes through improved medication use and reduced risk of adverse drug events including:

- A review of all medications, vitamins, and supplements being taken by an eligible individual.
- A medication action plan communicated to the individual and the individual's primary health physician. The action plan may include recommendations to the prescriber for drug therapy.
- Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

Requires the DAS to use a request for proposal process for a provider for medication therapy management services for State employees meeting certain criteria. Excludes employees of the Board of Regents. Requires DAS to utilize an advisory committee comprised of physicians and pharmacists to provide advice and oversight regarding the request for proposals and the evaluation process.

Requires the company that administers the pilot program to provide reports to the General Assembly concerning costs, savings, estimated cost avoidance, and return on investment.

Requires the company to guarantee annual estimated cost avoidance at least equal to the Program's cost with any shortfall amount being refunded to the State. The company must offer a dollar for dollar guarantee for drug product cost savings for FY 2011. The DAS and

78 29 administrative services shall utilize a request for proposals
78 30 process to contract for the provision of medication therapy
78 31 management services beginning July 1, 2010, for eligible
78 32 employees who meet any of the following criteria:
78 33 (1) An individual who takes four or more prescription drugs
78 34 to treat or prevent two or more chronic medical conditions.
78 35 (2) An individual with a prescription drug therapy problem
79 1 who is identified by the prescribing physician or other
79 2 appropriate prescriber, and referred to a pharmacist for
79 3 medication therapy management services.
79 4 (3) An individual who meets other criteria established by
79 5 the third-party payment provider contract, policy, or plan.
79 6 b. The department of administrative services shall
79 7 utilize an advisory committee comprised of an equal number of
79 8 physicians and pharmacists to provide advice and oversight
79 9 regarding the request for proposals and evaluation processes.
79 10 The department shall appoint the members of the advisory
79 11 council based upon designees of the Iowa pharmacy association,
79 12 the Iowa medical society, and the Iowa osteopathic medical
79 13 association.
79 14 c. The contract shall require the company to provide annual
79 15 reports to the general assembly detailing the costs, savings,
79 16 estimated cost avoidance and return on investment, and patient
79 17 outcomes related to the medication therapy management services
79 18 provided. The company shall guarantee demonstrated annual
79 19 savings, including any savings associated with cost avoidance
79 20 at least equal to the program's costs with any shortfall amount
79 21 refunded to the state. As a proof of concept in the program
79 22 for the period beginning July 1, 2010, and ending June 30,
79 23 2011, the company shall offer a dollar-for-dollar guarantee for
79 24 drug product costs savings alone. Prior to entering into a
79 25 contract with a company, the department and the company shall
79 26 agree on the terms, conditions, and applicable measurement
79 27 standards associated with the demonstration of savings. The
79 28 department shall verify the demonstrated savings reported by
79 29 the company was performed in accordance with the agreed upon
79 30 measurement standards. The company shall be prohibited from
79 31 using the company's employees to provide the medication therapy

the company will agree to terms, conditions, and measurement standards associated with the demonstrated savings.

This Section is repealed December 31, 2011.

NOTE: Section 167 appropriates \$543,000 to the DAS for costs associated with implementing the Medication Therapy Management Program. This Division is effective on enactment.

79 32 management services and shall instead be required to contract
 79 33 with licensed pharmacies, pharmacists, or physicians.
 79 34 d. The fees for pharmacist=delivered medication therapy
 79 35 management services shall be separate from the reimbursement
 80 1 for prescription drug product or dispensing services; shall
 80 2 be determined by each third=party payment provider contract,
 80 3 policy, or plan; and must be reasonable based on the resources
 80 4 and time required to provide the service.
 80 5 e. A fee shall be established for physician reimbursement
 80 6 for services delivered for medication therapy management as
 80 7 determined by each third=party payment provider contract,
 80 8 policy, or plan, and must be reasonable based on the resources
 80 9 and time required to provide the service.
 80 10 f. If any part of the medication therapy management
 80 11 plan developed by a pharmacist incorporates services which
 80 12 are outside the pharmacist's independent scope of practice
 80 13 including the initiation of therapy, modification of dosages,
 80 14 therapeutic interchange, or changes in drug therapy, the
 80 15 express authorization of the individual's physician or other
 80 16 appropriate prescriber is required.
 80 17 3. This section is repealed December 31, 2011.

80 18 Sec. 167. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
 80 19 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
 80 20 FUND. There is appropriated from the Iowa comprehensive
 80 21 petroleum underground storage tank fund created in section
 80 22 455G.3 to the department of administrative services for the
 80 23 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 80 24 the following amount, or so much thereof as is necessary, to be
 80 25 used for the purposes of this division, notwithstanding section
 80 26 455G.3, subsection 1:
 80 27 \$ 543,000

CODE: Underground Storage Tank Fund appropriation to the DAS for implementing the Medication Therapy Management Program.

80 28 Sec. 168. EFFECTIVE UPON ENACTMENT. This division of this
 80 29 Act, being deemed of immediate importance, takes effect upon
 80 30 enactment.

Division XIV is effective on enactment.

80 31 DIVISION XV
80 32 IOWA COMPREHENSIVE PETROLEUM
80 33 UNDERGROUND STORAGE TANK FUND

80 34 Sec. 169. Section 455B.474, subsection 1, paragraph d,
80 35 subparagraph (2), unnumbered paragraph 1, Code Supplement 2009,
81 1 is amended to read as follows:
81 2 A site shall be classified as either high risk, low risk, or
81 3 no action required as determined by a certified groundwater
81 4 professional .

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 5 Sec. 170. Section 455B.474, subsection 1, paragraph
81 6 d, subparagraph (2), subparagraph division (a), unnumbered
81 7 paragraph 1, Code Supplement 2009, is amended to read as
81 8 follows:
81 9 A site shall be considered high risk when ~~it is determined a~~
81 10 certified groundwater professional determines that
81 11 contamination from the site presents an unreasonable risk to
81 12 public health and safety or the environment under any of the
81 13 following conditions:

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 14 Sec. 171. Section 455B.474, subsection 1, paragraph
81 15 d, subparagraph (2), subparagraph division (b), unnumbered
81 16 paragraph 1, Code Supplement 2009, is amended to read as
81 17 follows:
81 18 A site shall be considered low risk ~~under any of the~~
81 19 ~~following conditions~~ when a certified groundwater professional
81 20 determines that low risk conditions exist as follows :

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 21 Sec. 172. Section 455B.474, subsection 1, paragraph d,
81 22 subparagraph (2), subparagraph divisions (c) and (e), Code
81 23 Supplement 2009, are amended to read as follows:
81 24 (c) A site shall be considered no action required if and
81 25 a no further action certificate shall be issued by the

CODE: Specifies how the DNR will process a “no further action” certificate when the DNR discovers information received from the certified groundwater professional was incomplete or inaccurate.

81 26 department when a certified groundwater professional determines
 81 27 that contamination is below action level standards and high or
 81 28 low risk conditions do not exist and are not likely to occur.
 81 29 (e) A site cleanup report which classifies a site as
 81 30 either high risk, low risk, or no action required shall be
 81 31 submitted by a groundwater professional to the department with
 81 32 a certification that the report complies with the provisions
 81 33 of this chapter and rules adopted by the department. The
 81 34 report shall be determinative of the appropriate classification
 81 35 of the site. ~~However, if the report is found to be~~ and the
 82 1 site shall be classified as indicated by the groundwater
 82 2 professional unless, within ninety days of receipt by the
 82 3 department, the department identifies material information
 82 4 in the report that is inaccurate or incomplete, and if based
 82 5 upon inaccurate or incomplete information in the report
 82 6 the risk classification of the site cannot be reasonably
 82 7 determined by the department based upon industry standards,
 82 8 ~~the department shall~~ . If the department determines that the
 82 9 site cleanup report is inaccurate or incomplete, the department
 82 10 shall notify the groundwater professional of the inaccurate
 82 11 or incomplete information within ninety days of receipt of
 82 12 the report and shall work with the groundwater professional
 82 13 to obtain the correct information or additional information
 82 14 necessary to appropriately classify the site. However, from
 82 15 July 1, 2010, through June 30, 2011, the department shall have
 82 16 one hundred twenty days to notify the certified groundwater
 82 17 professional when a report is not accepted based on material
 82 18 information that is found to be inaccurate or incomplete. A
 82 19 groundwater professional who knowingly or intentionally makes
 82 20 a false statement or misrepresentation which results in a
 82 21 mistaken classification of a site shall be guilty of a serious
 82 22 misdemeanor and shall have the groundwater professional's
 82 23 certification revoked under this section.

82 24 Sec. 173. Section 455B.474, subsection 1, paragraph f,
 82 25 subparagraphs (5), (6), and (7), Code Supplement 2009, are
 82 26 amended to read as follows:

CODE: Specifies how the DNR will process corrective action design reports.

82 27 (5) A corrective action design report submitted by a
82 28 groundwater professional shall be accepted by the department
82 29 and shall be primarily relied upon by the department to
82 30 determine the corrective action response requirements of the
82 31 site. However, if ~~the corrective action design report is found~~
82 32 to be within ninety days of receipt of a corrective action
82 33 design report, the department identifies material information
82 34 in the corrective action design report that is inaccurate or
82 35 incomplete, and if based upon information in the report the
83 1 appropriate corrective action response cannot be reasonably
83 2 determined by the department based upon industry standards,
83 3 the department shall notify the groundwater professional that
83 4 the corrective action design report is not accepted, and the
83 5 department shall work with the groundwater professional to
83 6 correct the material information or to obtain the additional
83 7 information necessary to appropriately determine the corrective
83 8 action response requirements as soon as practicable . However,
83 9 from July 1, 2010, through June 30, 2011, the department
83 10 shall have one hundred twenty days to notify the certified
83 11 groundwater professional when a corrective action design report
83 12 is not accepted based on material information that is found
83 13 to be inaccurate or incomplete. A groundwater professional
83 14 who knowingly or intentionally makes a false statement or
83 15 misrepresentation which results in an improper or incorrect
83 16 corrective action response shall be guilty of a serious
83 17 misdemeanor and shall have the groundwater professional's
83 18 certification revoked under this section.

83 19 (6) Low risk sites shall be monitored as deemed necessary by
83 20 the department consistent with industry standards. Monitoring
83 21 shall not be required on a site which has received a no further
83 22 action certificate. A site that has maintained less than the
83 23 applicable target level for four consecutive sampling events
83 24 shall be reclassified as a no action required site regardless
83 25 of exit monitoring criteria and guidance.

83 26 (7) An owner or operator may elect to proceed with
83 27 additional corrective action on the site. However, any action
83 28 taken in addition to that required pursuant to this paragraph
83 29 "f" shall be solely at the expense of the owner or operator

83 30 and shall not be considered corrective action for purposes of
 83 31 section 455G.9 , unless otherwise previously agreed to by the
 83 32 board and the owner or operator pursuant to section 455G.9,
 83 33 subsection 7. Corrective action taken by an owner or operator
 83 34 due to the department's failure to meet the time requirements
 83 35 provided in subparagraph (5), shall be considered corrective
 84 1 action for purposes of section 455G.9 .

84 2 Sec. 174. Section 455B.474, subsection 1, paragraph h,
 84 3 subparagraphs (1) and (3), Code Supplement 2009, are amended
 84 4 to read as follows:

84 5 (1) A no further action certificate shall be issued by
 84 6 the department for a site which has been classified as a no
 84 7 further action site or which has been reclassified pursuant to
 84 8 completion of a corrective action plan or monitoring plan to be
 84 9 a no further action site by a groundwater professional, unless
 84 10 within ninety days of receipt of the report submitted by the
 84 11 groundwater professional classifying the site, the department
 84 12 notifies the groundwater professional that the report and site
 84 13 classification are not accepted and the department identifies
 84 14 material information in the report that is inaccurate or
 84 15 incomplete which causes the department to be unable to accept
 84 16 the classification of the site. An owner or operator shall
 84 17 not be responsible for additional assessment, monitoring, or
 84 18 corrective action activities at a site that is issued a no
 84 19 further action certificate unless it is determined that the
 84 20 certificate was issued based upon false material statements
 84 21 that were knowingly or intentionally made by a groundwater
 84 22 professional and the false material statements resulted in the
 84 23 incorrect classification of the site .

84 24 (3) A certificate shall be recorded with the county
 84 25 recorder. The owner or operator of a site who has been issued a
 84 26 certificate under this paragraph "h" or a subsequent purchaser
 84 27 of the site shall not be required to perform further corrective
 84 28 action ~~solely~~ because action standards are changed at a later
 84 29 date. A certificate shall not prevent the department from
 84 30 ordering corrective action of a new release.

CODE: Specifies how the DNR will process a "no further action"
 certificate when the DNR discovers information received from the
 certified groundwater professional was incomplete or inaccurate.

84 31 Sec. 175. Section 455B.479, Code 2009, is amended to read
84 32 as follows:

84 33 455B.479 Storage tank management fee.

84 34 An owner or operator of an underground storage tank shall
84 35 pay an annual storage tank management fee of sixty=five
85 1 dollars per tank of over one thousand one hundred gallons
85 2 capacity. ~~Twenty=three percent of the~~ The fees collected
85 3 shall be deposited in the storage tank management account of
85 4 the groundwater protection fund. ~~Seventy=seven percent of the~~
85 5 ~~fees collected shall be deposited in the Iowa comprehensive~~
85 6 ~~petroleum underground storage tank fund created in chapter~~
85 7 ~~455G.~~

CODE: Requires fees paid by underground storage tank owners to be deposited in the Storage Tank Management Account of the Groundwater Protection Fund.

DETAIL: Under current law, 23.00% of the fees are deposited in the Storage Tank Management Account and 76.00% of the fees are deposited in the Iowa Comprehensive Petroleum Underground Storage Tank Fund. This change requires all fees to be deposited in the Storage Tank Management Account.

85 8 Sec. 176. Section 455E.11, subsection 2, paragraph d, Code
85 9 Supplement 2009, is amended to read as follows:

85 10 d. A storage tank management account. All fees
85 11 collected pursuant to section 455B.473, subsection 5, and
85 12 section 455B.479, shall be deposited in the storage tank
85 13 management account, ~~except those moneys deposited into the~~
85 14 ~~Iowa comprehensive petroleum underground storage tank fund~~
85 15 ~~pursuant to section 455B.479. Funds~~ . Moneys deposited in the
85 16 account shall be expended for the following purposes:

85 17 (1) One thousand dollars is appropriated annually to the
85 18 Iowa department of public health to carry out departmental
85 19 duties under section 135.11, subsections 19 and 20, and section
85 20 139A.21.

85 21 (2) ~~Twenty=three percent of the proceeds of the fees~~
85 22 ~~imposed pursuant to section 455B.473, subsection 5, and~~
85 23 ~~section 455B.479 shall be deposited in the account annually,~~
85 24 ~~up to a maximum of three hundred fifty thousand dollars. If~~
85 25 ~~twenty=three percent of the proceeds exceeds three hundred~~
85 26 ~~fifty thousand dollars, the excess shall be deposited into the~~
85 27 ~~fund created in section 455G.3. Three hundred fifty thousand~~
85 28 ~~dollars is~~ The moneys remaining in the account after the
85 29 appropriation in subparagraph (1) are appropriated from the
85 30 storage tank management account to the department of natural
85 31 resources for the administration of a state storage tank

CODE: Specifies fees paid by owners of underground storage tanks will be deposited in the Storage Tank Account of the Groundwater Protection Fund. Of the amount collected, \$1,000 is appropriated to the Department of Public Health and the remaining funds will be used by the DNR for administration of the UST Program. Requires the DNR to annually enter into an agreement with the Iowa Comprehensive Petroleum Underground Storage Tank Fund for completion of the administrative tasks.

85 32 program pursuant to chapter 455B, division IV, part 8, and for
85 33 programs which reduce the potential for harm to the environment
85 34 and the public health from storage tanks.

85 35 ~~(3) The remaining funds in the account are appropriated~~
86 1 ~~annually to the Iowa comprehensive petroleum underground~~
86 2 ~~storage tank fund. Each fiscal year, the department of~~
86 3 ~~natural resources shall enter into an agreement with the Iowa~~
86 4 ~~comprehensive petroleum underground storage tank fund for the~~
86 5 ~~completion of administrative tasks during the fiscal year~~
86 6 ~~directly related to the evaluation and modification of risk~~
86 7 ~~based corrective action rules as necessary and processes that~~
86 8 ~~affect the administration in subparagraph (2).~~

86 9 Sec. 177. Section 455G.3, Code 2009, is amended by adding
86 10 the following new subsections:
86 11 NEW SUBSECTION . 6. For the fiscal year beginning July 1,
86 12 2010, and each fiscal year thereafter, there is appropriated
86 13 from the Iowa comprehensive petroleum underground storage
86 14 tank fund to the department of natural resources two hundred
86 15 thousand dollars for purposes of technical review support to be
86 16 conducted by nongovernmental entities for leaking underground
86 17 storage tank assessments.

CODE: Makes an annual appropriation of \$200,000 from the Underground Storage Tank (UST) Fund beginning in FY 2011 to the DNR for technical review of leaking underground storage tank sites.

86 18 NEW SUBSECTION . 7. For the fiscal year beginning July
86 19 1, 2010, there is appropriated from the Iowa comprehensive
86 20 petroleum underground storage tank fund to the department of
86 21 natural resources one hundred thousand dollars for purposes of
86 22 database modifications necessary to accept batched external
86 23 data regarding underground storage tank inspections conducted
86 24 by nongovernmental entities.

CODE: Makes an annual appropriation of \$100,000 from the UST Fund beginning in FY 2011 to the DNR for database modifications.

86 25 NEW SUBSECTION . 8. For the fiscal year beginning July 1,
86 26 2010, and each fiscal year thereafter, there is appropriated
86 27 from the Iowa comprehensive petroleum underground storage tank
86 28 fund to the department of agriculture and land stewardship

CODE: Makes an annual appropriation of \$250,000 from the UST Fund beginning in FY 2011 to the Department of Agriculture and Land Stewardship for motor fuel inspections.

86 29 two hundred fifty thousand dollars for the sole and exclusive
 86 30 purpose of inspecting fuel quality at pipeline terminals and
 86 31 renewable fuel production facilities, including salaries,
 86 32 support, maintenance, and miscellaneous purposes.

86 33 NEW SUBSECTION . 9. Beginning September 1, 2010, the board
 86 34 shall administer safety training, hazardous material training,
 86 35 environmental training, and underground storage tank operator
 87 1 training in the state to be provided by an entity approved by
 87 2 the department of natural resources. The training provided
 87 3 pursuant to this subsection shall be available to any tank
 87 4 operator in the state at an equal and reasonable cost and
 87 5 shall not be conditioned upon any other requirements. Each
 87 6 fiscal year, the board shall not expend more than two hundred
 87 7 fifty thousand dollars from the Iowa comprehensive petroleum
 87 8 underground storage tank fund for purposes of administering
 87 9 this subsection.

CODE: Specifies that beginning September 1, 2010, the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board will provide training related to underground storage tank sites and cannot spend more than \$250,000 per year from the UST Fund.

87 10 Sec. 178. Section 455G.4, subsection 1, paragraph a,
 87 11 subparagraphs (3) and (5), Code Supplement 2009, are amended
 87 12 to read as follows:

87 13 ~~(3) The commissioner of insurance, or the commissioner's~~
 87 14 ~~designee. An employee of the department of management who~~
 87 15 ~~has been designated as a risk manager by the director of the~~
 87 16 ~~department of management.~~

87 17 ~~(5) Two owners or operators appointed by the governor -~~
 87 18 ~~One of the owners or operators appointed pursuant to this~~
 87 19 ~~subparagraph shall have been a petroleum systems insured~~
 87 20 ~~through the underground storage tank insurance fund as it~~
 87 21 ~~existed on June 30, 2004, or a successor to the underground~~
 87 22 ~~storage tank insurance fund and shall have been an insured~~
 87 23 ~~through the insurance account of the comprehensive petroleum~~
 87 24 ~~underground storage tank fund on or before October 26, 1990.~~
 87 25 ~~One of the owners or operators appointed pursuant to this~~
 87 26 ~~subparagraph shall be self-insured. as follows:~~

87 27 ~~(a) One member shall be an owner or operator who is~~

CODE: Requires the DOM to designate an employee as a risk manager and makes changes to the membership of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

87 28 self=insured.
 87 29 (b) One member shall be a member of the petroleum marketers
 87 30 and convenience stores of Iowa or its designee.

87 31 Sec. 179. Section 455G.8, subsection 3, Code 2009, is
 87 32 amended by striking the subsection.

CODE: Repeals language from the Code related to underground storage tank fees as a revenue source to the UST Fund. Previously, fees were deposited in the UST Fund and the DNR received funding from the Board through a Code Chapter 28E agreement.

87 33 Sec. 180. Section 455G.9, subsection 1, paragraphs d, k, and
 87 34 l, Code 2009, are amended to read as follows:
 87 35 d. One hundred percent of the costs of corrective action
 88 1 and third=party liability for a release situated on property
 88 2 acquired by a county for delinquent taxes pursuant to chapters
 88 3 445 through 448, for which a responsible owner or operator
 88 4 able to pay, other than the county, cannot be found. A county
 88 5 is not a "responsible party" for a release in connection with
 88 6 property which it acquires in connection with delinquent taxes,
 88 7 and does not become a responsible party by sale or transfer
 88 8 of property so acquired. In such situations, the board may
 88 9 act as an agent for the county. Actual corrective action on
 88 10 the site shall be overseen by the department, the board, and
 88 11 a certified groundwater professional. Third=party liability
 88 12 specifically excludes any claim, cause of action, or suit, for
 88 13 personal injury including τ but not limited to τ loss of use
 88 14 or of private enjoyment, mental anguish, false imprisonment,
 88 15 wrongful entry or eviction, humiliation, discrimination, or
 88 16 malicious prosecution. Reasonable acquisition costs do not
 88 17 include any taxes or costs related to the collection of taxes.
 88 18 k. Pursuant to an agreement between the board and the
 88 19 department of natural resources, assessment and corrective
 88 20 action arising out of releases at sites for which a no further
 88 21 action certificate has been issued pursuant to section
 88 22 455B.474, when the department determines that an unreasonable
 88 23 risk to public health and safety may still exist or that
 88 24 previously reported upon applicable target levels have been

CODE: Makes changes the UST Remedial Program and specifies that the Board may act as an agent for a county that acquires property due to nonpayment of taxes that is needing corrective action for an UST site. Also permits up to \$15,000 from the Fund for the permanent closure of an underground storage tank that does not meet performance standards.

88 25 exceeded . At a minimum, the agreement shall address eligible
88 26 costs, contracting for services, and conditions under which
88 27 sites may be reevaluated.
88 28 I. ~~Costs~~ Up to fifteen thousand dollars for the permanent
88 29 closure of an underground storage tank system ~~that was in place~~
88 30 ~~on the date an eligible claim was submitted under paragraph~~
88 31 "a" that does not meet performance standards for new or upgraded
88 32 tanks or is otherwise required to be closed pursuant to rules
88 33 adopted by the environmental protection commission pursuant to
88 34 section 455B.474 . Reimbursement is limited to costs approved
88 35 by the board prior to the closure activities.

89 1 Sec. 181. Section 455G.9, subsection 4, Code 2009, is
89 2 amended to read as follows:
89 3 4. Minimum copayment schedule.
89 4 a. An owner or operator shall be required to pay the
89 5 greater of five thousand dollars or eighteen percent of the
89 6 first eighty thousand dollars of the total costs of corrective
89 7 action for that release , except for claims pursuant to section
89 8 455G.21, where the claimant is not a responsible party or
89 9 potentially responsible party for the site for which the claim
89 10 is filed .
89 11 b. If a site's actual expenses exceed eighty thousand
89 12 dollars, the remedial account shall pay the remainder, as
89 13 required by federal regulations, of the total costs of the
89 14 corrective action for that release, not to exceed one million
89 15 dollars, except that a county shall not be required to pay a
89 16 copayment in connection with a release situated on property
89 17 acquired in connection with delinquent taxes, as provided in
89 18 subsection 1, paragraph "d", unless subsequent to acquisition
89 19 the county actively operates a tank on the property for
89 20 purposes other than risk assessment, risk management, or tank
89 21 closure.

89 22 Sec. 182. Section 455G.9, subsection 7, Code 2009, is
89 23 amended to read as follows:

CODE: Makes changes to the underground storage tank minimum copayment schedule.

CODE: Makes changes to the UST Remedial Program expense reimbursement for underground storage tank cleanup costs and

<p>89 24 7. Expenses of cleanup not required. When an owner or 89 25 operator who is eligible for benefits under this chapter is 89 26 allowed by the department of natural resources to monitor in 89 27 place, the expenses incurred for cleanup beyond the level 89 28 required by the department of natural resources are not <u>may</u> 89 29 <u>be covered under any of the accounts established under the</u> 89 30 <u>fund only if approved by the board as cost-effective relative</u> 89 31 <u>to the department accepted monitoring plan or relative to</u> 89 32 <u>the repeal date specified in section 424.19</u> . The cleanup 89 33 expenses incurred for work completed beyond what is required 89 34 is the responsibility of the person contracting for the excess 89 35 cleanup. <u>The board shall seek to terminate the responsible</u> 90 1 <u>party's environmental liabilities at such sites prior to the</u> 90 2 <u>board ceasing operation.</u></p>	<p>requires Iowa Comprehensive Petroleum Underground Storage Tank Fund Board approval.</p>
<p>90 3 Sec. 183. Section 455G.9, subsection 10, Code 2009, is 90 4 amended to read as follows: 90 5 10. Expenses incurred by governmental subdivisions <u>and</u> 90 6 <u>public works utilities</u> . The board may <u>shall</u> adopt rules 90 7 for reimbursement for reasonable expenses incurred by 90 8 a governmental subdivision <u>or public works utility</u> for 90 9 <u>sampling</u>, treating, handling, or disposing, as required by the 90 10 department, of petroleum-contaminated soil and groundwater 90 11 encountered in a public right-of-way during installation, 90 12 maintenance, or repair of a <u>utility or</u> public improvement. The 90 13 board may seek full recovery from a responsible party liable 90 14 for the release for such expenses and for all other costs and 90 15 reasonable attorney fees and costs of litigation for which 90 16 moneys are expended by the fund. Any expense described in 90 17 this subsection incurred by the fund constitutes a lien upon 90 18 the property from which the release occurred. A lien shall be 90 19 recorded and an expense shall be collected in the same manner 90 20 as provided in section 424.11.</p>	<p>CODE: Makes changes to the UST Remedial Program related to costs paid by governmental subdivisions and adds public works utilities.</p>
<p>90 21 Sec. 184. EFFECTIVE UPON ENACTMENT AND RETROACTIVE 90 22 APPLICABILITY. The section of this division of this Act</p>	<p>Section 181 relating to minimum copayments is effective on enactment and retroactive to January 1, 2010</p>

90 23 amending section 455G.9, subsection 4, being deemed of
90 24 immediate importance, takes effect upon enactment and applies
90 25 retroactively to January 1, 2010.

90 26 DIVISION XVI
90 27 BONDING AUTHORITY

90 28 Sec. 185. Section 455G.2, subsection 1, Code 2009, is
90 29 amended by striking the subsection.

CODE: Repeals the Code Section that specifies the Iowa Finance Authority will assist the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

90 30 Sec. 186. Section 455G.2, subsection 3, Code 2009, is
90 31 amended to read as follows:
90 32 3. "Bond" means a bond, note, or other obligation issued by
90 33 the ~~authority~~ treasurer of state for the fund and the purposes
90 34 of this chapter.

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

90 35 Sec. 187. Section 455G.3, subsection 2, Code 2009, is
91 1 amended to read as follows:
91 2 2. The board shall assist Iowa's owners and operators
91 3 of petroleum underground storage tanks in complying with
91 4 federal environmental protection agency technical and financial
91 5 responsibility regulations by establishment of the Iowa
91 6 comprehensive petroleum underground storage tank fund. The
91 7 ~~authority~~ treasurer of state may issue its bonds, or series of
91 8 bonds, to assist the board, as provided in this chapter.

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

91 9 Sec. 188. Section 455G.6, subsections 7 through 9, Code
91 10 Supplement 2009, are amended to read as follows:
91 11 7. The board may contract with the ~~authority~~ treasurer
91 12 of state for the ~~authority~~ treasurer of state to issue bonds
91 13 and do all things necessary with respect to the purposes of
91 14 the fund, as set out in the contract between the board and
91 15 the ~~authority~~ treasurer of state . The board may delegate to

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

91 16 the ~~authority~~ treasurer of state and the ~~authority~~ treasurer
91 17 of state shall then have all of the powers of the board
91 18 which are necessary to issue and secure bonds and carry
91 19 out the purposes of the fund, to the extent provided in
91 20 the contract between the board and the ~~authority~~ treasurer
91 21 of state . The ~~authority~~ treasurer of state may issue the
91 22 ~~authority's~~ treasurer of state's bonds in principal amounts
91 23 which, in the opinion of the board, are necessary to provide
91 24 sufficient funds for the fund, the payment of interest on the
91 25 bonds, the establishment of reserves to secure the bonds, the
91 26 costs of issuance of the bonds, other expenditures of the
91 27 ~~authority~~ treasurer of state incident to and necessary or
91 28 convenient to carry out the bond issue for the fund, and all
91 29 other expenditures of the board necessary or convenient to
91 30 administer the fund. The bonds are investment securities and
91 31 negotiable instruments within the meaning of and for purposes
91 32 of the uniform commercial code, chapter 554.

91 33 8. Bonds issued under this section are payable solely and
91 34 only out of the moneys, assets, or revenues of the fund, all
91 35 of which may be deposited with trustees or depositories in
92 1 accordance with bond or security documents and pledged by the
92 2 board to the payment thereof, and are not an indebtedness of
92 3 this state ~~or the authority~~ , or a charge against the general
92 4 credit or general fund of the state ~~or the authority~~ , and
92 5 the state shall not be liable for any financial undertakings
92 6 with respect to the fund. Bonds issued under this chapter
92 7 shall contain on their face a statement that the bonds do not
92 8 constitute an indebtedness of the state ~~or the authority~~ .

92 9 9. The proceeds of bonds issued by the ~~authority~~ treasurer
92 10 of state and not required for immediate disbursement may be
92 11 deposited with a trustee or depository as provided in the
92 12 bond documents and invested in any investment approved by
92 13 the ~~authority~~ treasurer of state and specified in the trust
92 14 indenture, resolution, or other instrument pursuant to which
92 15 the bonds are issued without regard to any limitation otherwise
92 16 provided by law.

92 18 Supplement 2009, is amended to read as follows:	Fund from the Iowa Finance Authority to the Treasurer of State.
92 19 b. Negotiable instruments under the laws of the state and	
92 20 may be sold at prices, at public or private sale, and in a	
92 21 manner, as prescribed by the authority <u>treasurer of state</u> .	
92 22 Chapters 73A, 74, 74A and 75 do not apply to their sale or	
92 23 issuance of the bonds.	
92 24 Sec. 190. Section 455G.6, subsection 12, Code Supplement	CODE: Changes the authority for issuing bonds related to the UST
92 25 2009, is amended to read as follows:	Fund from the Iowa Finance Authority to the Treasurer of State.
92 26 12. Bonds must be authorized by a trust indenture,	
92 27 resolution, or other instrument of the authority <u>treasurer of</u>	
92 28 <u>state</u> , approved by the board. However, a trust indenture,	
92 29 resolution, or other instrument authorizing the issuance of	
92 30 bonds may delegate to an officer of the issuer the power to	
92 31 negotiate and fix the details of an issue of bonds.	
92 32 Sec. 191. Section 455G.7, Code Supplement 2009, is amended	CODE: Changes the authority for issuing bonds related to the UST
92 33 to read as follows:	Fund from the Iowa Finance Authority to the Treasurer of State.
92 34 455G.7 Security for bonds == capital reserve fund ==	
92 35 irrevocable contracts.	
93 1 1. <u>a.</u> For the purpose of securing one or more issues of	
93 2 bonds for the fund, the authority <u>treasurer of state</u> , with	
93 3 the approval of the board, may authorize the establishment	
93 4 of one or more special funds, called "capital reserve funds".	
93 5 The authority <u>treasurer of state</u> may pay into the capital	
93 6 reserve funds the proceeds of the sale of its bonds and other	
93 7 money which may be made available to the authority <u>treasurer</u>	
93 8 <u>of state</u> from other sources for the purposes of the capital	
93 9 reserve funds. Except as provided in this section, money in a	
93 10 capital reserve fund shall be used only as required for any of	
93 11 the following:	
93 12 a- <u>(1)</u> The payment of the principal of and interest on	
93 13 bonds or of the sinking fund payments with respect to those	
93 14 bonds.	
93 15 b- <u>(2)</u> The purchase or redemption of the bonds.	
93 16 c- <u>(3)</u> The payment of a redemption premium required to be	

93 17 paid when the bonds are redeemed before maturity.
93 18 b. However, money in a capital reserve fund shall not be
93 19 withdrawn if the withdrawal would reduce the amount in the
93 20 capital reserve fund to less than the capital reserve fund
93 21 requirement, except for the purpose of making payment, when
93 22 due, of principal, interest, redemption premiums on the bonds,
93 23 and making sinking fund payments when other money pledged to
93 24 the payment of the bonds is not available for the payments.
93 25 Income or interest earned by, or increment to, a capital
93 26 reserve fund from the investment of all or part of the capital
93 27 reserve fund may be transferred by the ~~authority~~ treasurer of
93 28 state to other accounts of the fund if the transfer does not
93 29 reduce the amount of the capital reserve fund below the capital
93 30 reserve fund requirement.

93 31 2. If the ~~authority~~ treasurer of state decides to issue
93 32 bonds secured by a capital reserve fund, the bonds shall not be
93 33 issued if the amount in the capital reserve fund is less than
93 34 the capital reserve fund requirement, unless at the time of
93 35 issuance of the bonds the ~~authority~~ treasurer of state deposits
94 1 in the capital reserve fund from the proceeds of the bonds to
94 2 be issued or from other sources, an amount which, together with
94 3 the amount then in the capital reserve fund, is not less than
94 4 the capital reserve fund requirement.

94 5 3. In computing the amount of a capital reserve fund for the
94 6 purpose of this section, securities in which all or a portion
94 7 of the capital reserve fund is invested shall be valued by a
94 8 reasonable method established by the ~~authority~~ treasurer of
94 9 state . Valuation shall include the amount of interest earned
94 10 or accrued as of the date of valuation.

94 11 4. In this section, "capital reserve fund requirement" means
94 12 the amount required to be on deposit in the capital reserve
94 13 fund as of the date of computation.

94 14 5. To assure maintenance of the capital reserve funds,
94 15 the ~~authority~~ treasurer of state shall, on or before July 1
94 16 of each calendar year, make and deliver to the governor the
94 17 ~~authority's~~ treasurer of state's certificate stating the sum,
94 18 if any, required to restore each capital reserve fund to the
94 19 capital reserve fund requirement for that fund. Within thirty

94 20 days after the beginning of the session of the general assembly
94 21 next following the delivery of the certificate, the governor
94 22 may submit to both houses printed copies of a budget including
94 23 the sum, if any, required to restore each capital reserve fund
94 24 to the capital reserve fund requirement for that fund. Any
94 25 sums appropriated by the general assembly and paid to the
94 26 ~~authority~~ treasurer of state pursuant to this section shall be
94 27 deposited in the applicable capital reserve fund.

94 28 6. All amounts paid by the state pursuant to this section
94 29 shall be considered advances by the state and, subject to the
94 30 rights of the holders of any bonds of the ~~authority~~ treasurer
94 31 of state that have previously been issued or will be issued,
94 32 shall be repaid to the state without interest from all
94 33 available revenues of the fund in excess of amounts required
94 34 for the payment of bonds of the ~~authority~~ treasurer of state ,
94 35 the capital reserve fund, and operating expenses.

95 1 7. If any amount deposited in a capital reserve fund is
95 2 withdrawn for payment of principal, premium, or interest on
95 3 the bonds or sinking fund payments with respect to bonds
95 4 thus reducing the amount of that fund to less than the
95 5 capital reserve fund requirement, the ~~authority~~ treasurer of
95 6 state shall immediately notify the governor and the general
95 7 assembly of this event and shall take steps to restore the
95 8 capital reserve fund to the capital reserve fund requirement
95 9 for that fund from any amounts designated as being available
95 10 for such purpose.

95 11 Sec. 192. Section 455G.8, subsection 2, Code 2009, is
95 12 amended to read as follows:

95 13 2. Statutory allocations fund. The moneys credited from the
95 14 statutory allocations fund under section 321.145, subsection
95 15 2, paragraph "a", shall be allocated, consistent with this
95 16 chapter, among the fund's accounts, for debt service and other
95 17 fund expenses, according to the fund budget, resolution, trust
95 18 agreement, or other instrument prepared or entered into by the
95 19 board or ~~authority~~ treasurer of state under direction of the
95 20 board.

CODE: Changes the authority for issuing bonds related to the UST
Fund from the Iowa Finance Authority to the Treasurer of State.

95 21 Sec. 193. REPEAL. Section 16.151, Code 2009, is repealed.

CODE: Repeals the Code Section that specifies the Iowa Finance Authority will assist the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

95 22 Sec. 194. REPEAL. 1989 Iowa Acts, chapter 131, section
95 23 63, as amended by 2009 Iowa Acts, chapter 184, section 39, is
95 24 repealed.

CODE: Repeals an extension of the original repeal date of Code sections relating to underground storage tank bonds.

DETAIL: The original repeal date of these sections is July 1, 2009. The repeal of these Code sections was extended to July 1, 2010, in HF 822 (FY 2009 Infrastructure Appropriations Act).

95 25 Sec. 195. EFFECTIVE UPON ENACTMENT. This division of this
95 26 Act, being deemed of immediate importance, takes effect upon
95 27 enactment.

This Division is effective on enactment.

95 28 DIVISION XVII

95 29 UNEMPLOYMENT INSURANCE BENEFITS

95 30 Sec. 196. CASH RESERVE APPROPRIATION == UNEMPLOYMENT TRUST
95 31 FUND ACCOUNT.

95 32 1. On or before August 15, 2010, following the computation
95 33 date required pursuant to section 96.7, subsection 2, paragraph
95 34 "d", subparagraph (1), unnumbered paragraph 1, as amended
95 35 by this Act, and upon the approval of the director of the
96 1 department of management, there is appropriated from the cash
96 2 reserve fund created in section 8.56 to the unemployment
96 3 trust fund account of the unemployment compensation fund for
96 4 the fiscal year beginning July 1, 2010, and ending June 30,
96 5 2011, up to \$20 million. This loan is contingent upon being
96 6 necessary to reach contribution rate table 3 rather than
96 7 contribution rate table 2 for calendar year 2011. Any moneys
96 8 appropriated pursuant to this subsection shall be considered
96 9 a loan for the payment of unemployment insurance benefits and
96 10 the repayment of such moneys to the cash reserve fund shall
96 11 occur pursuant to subsection 2. If the amount necessary to

Provides a contingent appropriation of up to \$20,000,000 from the Cash Reserve Fund to the Unemployment Trust Fund to prevent the contribution rate table from moving from the current table 4 to the higher rate table 2 for calendar year 2011. Requires any appropriated funds to be repaid under certain conditions. This Section is repealed if the amount needed to prevent moving to contribution rate table 2 is greater than \$20,000,000.

Requires the Department of Workforce Development and the DOM to develop a plan to repay the Cash Reserve Fund, without adversely impacting the solvency of the Trust Fund, any amount transferred to the Unemployment Trust Fund during FY 2011.

Requires the Department of Workforce Development to submit a report to the General Assembly by December 1, 2011, on the balance of the Unemployment Trust Fund and recommendations pertaining to the transferred funds.

96 12 prevent table 2 from being applied is more than \$20 million,
 96 13 this section is repealed. Section 8.56, subsections 3 and 4,
 96 14 shall not apply to the appropriation in this section.
 96 15 2. Following the fiscal year beginning July 1, 2010,
 96 16 and ending June 30, 2011, the department of workforce
 96 17 development, in coordination with the department of management,
 96 18 shall develop a plan for the transfer of an amount equal
 96 19 to the amount appropriated pursuant to subsection 1 from
 96 20 the unemployment trust fund account of the unemployment
 96 21 compensation fund to the cash reserve fund without adversely
 96 22 impacting the solvency of the unemployment trust fund account.
 96 23 3. By December 1, 2011, the director of the department of
 96 24 workforce development shall submit to the general assembly,
 96 25 with the report required under section 96.35, the director's
 96 26 recommendations regarding the transfer of moneys as required
 96 27 under subsection 2.

96 28 Sec. 197. Section 96.7, subsection 2, paragraph d,
 96 29 subparagraph (1), unnumbered paragraph 1, Code Supplement 2009,
 96 30 is amended to read as follows:
 96 31 The current reserve fund ratio is computed by dividing
 96 32 the total funds available for payment of benefits, on the
 96 33 computation date or on August 15 following the computation
 96 34 date if the total funds available for payment of benefits is a
 96 35 higher amount on August 15, by the total wages paid in covered
 97 1 employment excluding reimbursable employment wages during the
 97 2 first four calendar quarters of the five calendar quarters
 97 3 immediately preceding the computation date. However, in
 97 4 computing the current reserve fund ratio the following amounts
 97 5 shall be added to the total funds available for payment of
 97 6 benefits on the following computation dates:

97 7 DIVISION XVIII
 97 8 TERRACE HILL

CODE: Permits the calculation of the Unemployment Trust Fund to be made August 15 of each year, instead of June 30, if the balance of the Fund would be higher on the later date.

97 9 Sec. 198. TERRACE HILL OPERATIONS == CASH RESERVE FUND ==

Cash Reserve Fund appropriation for FY 2011 to the DAS for Terrace

<p>97 10 DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated 97 11 from the cash reserve fund created in section 8.56 to the 97 12 department of administrative services for the fiscal year 97 13 beginning July 1, 2010, and ending June 30, 2011, the following 97 14 amount, or so much thereof as is necessary, to be used for the 97 15 purposes designated: 97 16 For salaries, support, maintenance, and miscellaneous 97 17 purposes necessary for the operation of Terrace Hill: 97 18 \$ 168,494</p>	<p>Hill operations.</p> <p>DETAIL: The funds will be used for maintenance of the Terrace Hill grounds. In prior years, the Terrace Hill operations were funded through an appropriation to the Governor's Office.</p>
<p>97 19 Sec. 199. TERRACE HILL == GENERAL FUND == DEPARTMENT OF 97 20 ADMINISTRATIVE SERVICES. There is appropriated from the 97 21 general fund of the state to the department of administrative 97 22 services for the fiscal year beginning July 1, 2009, and ending 97 23 June 30, 2010, the following amount, or so much thereof as is 97 24 necessary, to be used for the purposes designated: 97 25 For salaries, support, maintenance, and miscellaneous 97 26 purposes necessary for the operation of Terrace Hill, and for 97 27 not more than the following full-time equivalent positions: 97 28 \$ 263,329 97 29 FTEs 6.38</p>	<p>General Fund appropriation for FY 2011 to the DAS for Terrace Hill operations.</p> <p>DETAIL: The funds will be used for maintenance of the Terrace Hill grounds. The Department is also receiving an appropriation of \$168,494 from the Cash Reserve Fund for Terrace Hill operations, resulting in total appropriations of \$431,823 for FY 2011. In prior years, the Terrace Hill operations were funded through an appropriation to the Governor's Office.</p>
<p>97 30 Sec. 200. TERRACE HILL QUARTERS. The amount appropriated 97 31 from the general fund of the state to the offices of the 97 32 governor and the lieutenant governor for Terrace Hill quarters 97 33 pursuant to 2010 Iowa Acts, Senate File 2367, for the fiscal 97 34 year beginning July 1, 2010, and ending June 30, 2011, is 97 35 reduced by \$263,329. The number of full-time equivalent 98 1 positions authorized pursuant to 2010 Iowa Acts, Senate File 98 2 2367, for purposes of Terrace Hill quarters for the fiscal year 98 3 beginning July 1, 2010, and ending June 30, 2011, is reduced by 98 4 8.12 full-time equivalent positions.</p>	<p>Reduces the FY 2011 General Fund appropriation made in SF 2367 (FY 2011 Administration and Regulation Appropriations Bill) to the Governor's Office for Terrace Hill by \$263,329 and 8.12 FTE positions.</p> <p>DETAIL: Senate File 2367 appropriates \$394,291 and 10.00 FTE positions to fund the operations at Terrace Hill. This reduction leaves \$130,962 of funding and 1.88 FTE positions for the interior operations of the Terrace Hill Quarters.</p>
<p>98 5 DIVISION XIX 98 6 HEALTH CARE PROGRAMS AND APPROPRIATIONS</p>	

98 7 Sec. 201. Section 249J.7, Code 2009, is amended to read as
98 8 follows:

98 9 249J.7 Expansion population provider network.

98 10 1. a. Expansion population members shall only be eligible
98 11 to receive expansion population services through a provider
98 12 included in the expansion population provider network. Except
98 13 as otherwise provided in this chapter, the expansion population
98 14 provider network shall be limited to a publicly owned acute
98 15 care teaching hospital located in a county with a population
98 16 over three hundred fifty thousand, the university of Iowa
98 17 hospitals and clinics, ~~and the state hospitals for persons
98 18 with mental illness designated pursuant to section 226.1 with
98 19 the exception of the programs at such state hospitals for
98 20 persons with mental illness that provide substance abuse
98 21 treatment, serve geropsychiatric patients, or treat sexually
98 22 violent predators~~ and a regional provider network utilizing
98 23 the federally qualified health centers or federally qualified
98 24 health center look-alikes in the state, to provide primary care
98 25 to members .

98 26 b. (1) The department shall develop a plan to phase=in
98 27 the regional provider network by determining the most highly
98 28 underserved areas on a statewide and regional basis, and
98 29 targeting these areas for prioritization in implementing the
98 30 regional provider network. In developing the phase=in plan
98 31 the department shall consult with the medical assistance
98 32 projections and assessment council created in section 249J.20.
98 33 Any plan developed shall be approved by the council prior
98 34 to implementation. The phase=in of the regional provider
98 35 network shall be implemented in a manner that ensures that
99 1 program expenditures do not exceed budget neutrality limits and
99 2 funded program capacity, and that ensures compliance with the
99 3 eligibility maintenance of effort requirements of the federal
99 4 American Recovery and Reinvestment Act of 2009.

99 5 (2) Payment shall only be made to designated participating
99 6 primary care providers for eligible primary care services
99 7 provided to a member.

99 8 (3) The department shall adopt rules pursuant to chapter

CODE: Repeals amendments to Code Section 249J.7, from two separate Bills and combines the rewrite of the Section into this Bill.

DETAIL: The following changes are made to Code Section 249J.7:

- Adds Federally Qualified Health Centers (FQHC) to the list of IowaCare Providers for primary care.
- Requires the DHS to develop a plan to expand primary care to FQHCs starting with the most underserved areas in the State and provide a medical home.
- Permits the Department to designate other providers to provide primary and specialty care within available funding.
- Specifies that Broadlawns and the University of Iowa Hospitals and Clinics (UIHC) are the only providers for Polk County residents until capacity is reached.
- Requires the DHS to use up to \$7.3 million in Certified Public Expenditures at the UIHC to provide primary and specialty care. The savings is to be used to reimburse physicians at the UIHC and provide funding for a regional provider network.
- Requires the DHS is to adopt rules establishing a transfer protocol to be used by IowaCare providers.

99 9 17A, in collaboration with the medical home advisory
99 10 council established pursuant to section 135.159, specifying
99 11 requirements for medical homes including certification, with
99 12 which regional provider network participating providers shall
99 13 comply, as appropriate.
99 14 (4) The department may also designate other private
99 15 providers and hospitals to participate in the regional provider
99 16 network, to provide primary and specialty care, subject to the
99 17 availability of funds.
99 18 (5) Notwithstanding any provision to the contrary, the
99 19 department shall develop a methodology to reimburse regional
99 20 provider network participating providers designated under this
99 21 subsection.
99 22 c. Tertiary care shall only be provided to eligible
99 23 expansion population members residing in any county in the
99 24 state at the university of Iowa hospitals and clinics.
99 25 d. Until such time as the publicly owned acute care
99 26 teaching hospital located in a county with a population over
99 27 three hundred fifty thousand notifies the department that
99 28 such hospital has reached service capacity, the hospital and
99 29 the university of Iowa hospitals and clinics shall remain the
99 30 only expansion population providers for the residents of such
99 31 county.
99 32 2. Expansion population services provided to expansion
99 33 population members by ~~providers included in the expansion~~
99 34 ~~population provider network~~ the publicly owned acute care
99 35 teaching hospital located in a county with a population
100 1 over three hundred fifty thousand and the university of Iowa
100 2 hospitals and clinics shall be payable at the full benefit
100 3 recipient rates.
100 4 3. Providers included in the expansion population provider
100 5 network shall submit clean claims within twenty days of the
100 6 date of provision of an expansion population service to an
100 7 expansion population member.
100 8 4. Unless otherwise prohibited by law, a provider under
100 9 the expansion population provider network may deny care to
100 10 an individual who refuses to apply for coverage under the
100 11 expansion population.

100 12 5. Notwithstanding the provision of section 347.16,
100 13 subsection 2, requiring the provision of free care and
100 14 treatment to the persons described in that subsection, the
100 15 publicly owned acute care teaching hospital described in
100 16 subsection 1 may require any sick or injured person seeking
100 17 care or treatment at that hospital to be subject to financial
100 18 participation, including but not limited to copayments
100 19 or premiums, and may deny nonemergent care or treatment
100 20 to any person who refuses to be subject to such financial
100 21 participation.

100 22 6. The department shall utilize up to seven million three
100 23 hundred thousand dollars in certified public expenditures at
100 24 the university of iowa hospitals and clinics to maximize the
100 25 availability of state funding to provide necessary access
100 26 to both primary and specialty physician care to expansion
100 27 population members. The resulting savings to the state
100 28 shall be utilized to reimburse physician services provided
100 29 to expansion population members at the university of iowa
100 30 hospitals and clinics and to reimburse providers designated
100 31 to participate in the regional provider network for services
100 32 provided to expansion population members.

100 33 7. The department shall adopt rules to establish clinical
100 34 transfer and referral protocols to be used by providers
100 35 included in the expansion population provider network.

101 1 Sec. 202. 2010 Iowa Acts, Senate File 2156, section 5, if
101 2 enacted, is repealed.

CODE: Repeals amendments to Code Section 249J.7 from Section 5
of SF 2156 (IowaCare Program Act).

DETAIL: Senate File 2156 was signed by the Governor on April 21,
2010.

101 3 Sec. 203. 2010 Iowa Acts, Senate File 2356, section 2,
101 4 amending section 249J.7, if enacted, is repealed.

CODE: Repeals amendments to Iowa Code Section 249J.7, from
Section 25 of SF 2356 (IowaCare Program Provisions Act).

DETAIL: Senate File 2356 was signed by the Governor on April 14,
2010.

<p>101 5 Sec. 204. 2010 Iowa Acts, House File 2526, section 11, 101 6 subsection 13, if enacted, is amended to read as follows: 101 7 13. The university of Iowa hospitals and clinics shall 101 8 either certify public expenditures or transfer to the medical 101 9 assistance appropriation an amount equal to provide the 101 10 nonfederal share for increased medical assistance payments for 101 11 inpatient hospital services of \$7,500,000 up to <u>\$9,900,000</u> . 101 12 The university of Iowa hospitals and clinics shall receive and 101 13 retain 100 percent of the total increase in medical assistance 101 14 payments.</p>	<p>CODE: Amends HF 2526 (FY 2011 Health and Human Services Appropriations Act) to permit the UIHC to use up to \$9,900,000 for indigent patient care.</p> <p>DETAIL: No new State funding is provided. The UIHC is using existing expenditures to draw down additional federal funds.</p>
<p>101 15 Sec. 205. 2010 Iowa Acts, House File 2526, section 41, 101 16 subsection 3, unnumbered paragraph 2, if enacted, is amended 101 17 to read as follows: 101 18 For salaries, support, maintenance, equipment, and 101 19 miscellaneous purposes for the provision of medical and 101 20 surgical treatment of indigent patients, for provision of 101 21 services to members of the expansion population pursuant to 101 22 chapter 249J, and for medical education: 101 23 \$ 12,000,000 101 24 <u>14,000,000</u></p>	<p>CODE: Appropriates an additional \$2,000,000 from the IowaCare Account for salaries and support of the IowaCare Program at the UIHC.</p>
<p>101 25 Sec. 206. 2010 Iowa Acts, House File 2526, section 41, 101 26 subsection 6, if enacted, is amended to read as follows: 101 27 6. Contingent upon enactment of 2010 Iowa Acts, Senate File 101 28 2356, there is appropriated from the IowaCare account created 101 29 in section 249J.24 to the department of human services for the 101 30 fiscal year beginning July 1, 2010, and ending June 30, 2011, 101 31 the following amount, or so much thereof as is necessary to be 101 32 used for the purposes designated: 101 33 For payment to nonparticipating providers for covered 101 34 services provided in accordance with section 249J.24A: 101 35 \$ 2,000,000</p>	<p>CODE: Deappropriates the appropriation from the IowaCare Account to the IowaCare Nonparticipating Provider Reimbursement Fund.</p> <p>DETAIL: This appropriation will now be funded at the same level by the State proceeds from the Hospital Health Care Access Assessment.</p>
<p>102 1 Sec. 207. HOSPITAL HEALTH CARE ACCESS TRUST FUND ==</p>	<p>Hospital Health Care Access Trust Fund appropriation to the DHS for</p>

102 2	APPROPRIATIONS. There is appropriated from the hospital	the Medicaid Program. This appropriation is contingent on enactment
102 3	health care access trust fund created in section 249M.4, if	of SF 2388 (FY 2011 Health Care Access Assessment Act).
102 4	enacted by 2010 Iowa Acts, Senate File 2388, to the department	
102 5	of human services for the fiscal year beginning July 1, 2010,	DETAIL: This is a new appropriation for FY 2011.
102 6	and ending June 30, 2011, the following amounts, or so much	
102 7	thereof as is necessary, for the purposes designated:	NOTE: Senate File 2388 was signed by the Governor on April 14,
102 8	1. For the medical assistance program:	2010.
102 9 \$ 39,406,000	
102 10	Of the funds appropriated in this subsection, \$20,542,883	Allocates \$20,542,883 from the Hospital Health Care Access Trust
102 11	shall be used for reimbursement of hospitals under the medical	Fund appropriation to Medicaid for reimbursement to the Upper
102 12	assistance program in accordance with section 249M.4, if	Payment Limit (UPL) of the 34 prospective payment hospitals under
102 13	enacted by 2010 Iowa Acts, Senate File 2388.	the Medicaid program.
102 14	2. For deposit in the nonparticipating provider	Hospital Health Care Access Trust Fund appropriation to the DHS for
102 15	reimbursement fund created in section 249J.24A for the purposes	the Nonparticipating Provider Reimbursement Fund. This
102 16	of the fund:	appropriation is contingent on enactment of SF 2388 (FY 2011 Health
102 17 \$ 594,000	Care Access Assessment Act).
		DETAIL: This is a new appropriation for FY 2011.
		NOTE: Senate File 2388 was signed by the Governor on April 14,
		2010.
102 18	Sec. 208. NONPARTICIPATING PROVIDER REIMBURSEMENT FUND	Nonparticipating Provider Reimbursement Fund appropriation to the
102 19	== APPROPRIATION. Contingent upon enactment of 2010 Iowa	DHS to reimburse nonparticipating providers.
102 20	Acts, Senate File 2388, there is appropriated from the	
102 21	nonparticipating provider reimbursement fund created in section	DETAIL: This is a new appropriation for FY 2011.
102 22	249J.24A to the department of human services for the fiscal	
102 23	year beginning July 1, 2010, and ending June 30, 2011, the	
102 24	following amount, or so much thereof as is necessary, for the	
102 25	purposes designated:	
102 26	To reimburse nonparticipating providers in accordance with	
102 27	section 249J.24A:	
102 28 \$ 2,000,000	

<p>102 29 Sec. 209. MEDICAL ASSISTANCE PROGRAM == APPROPRIATION 102 30 REDUCTION. Contingent upon enactment of 2010 Iowa Acts, Senate 102 31 File 2388, the appropriation from the general fund of the state 102 32 to the department of human services for the medical assistance 102 33 program for the fiscal year beginning July 1, 2010, and ending 102 34 June 30, 2011, as specified in 2010 Iowa Acts, House File 2526, 102 35 section 11, if enacted, is reduced by \$18,863,117.</p>	<p>Reduces the General Fund Medicaid appropriation in HF 2526 (FY 2011 Health and Human Services Appropriations Bill) by \$18,863,117 for FY 2011.</p>
<p>103 1 Sec. 210. CONTINGENT IMPLEMENTATION. Implementation of the 103 2 provisions of this division of this Act making appropriations 103 3 from the hospital health care access trust fund and the 103 4 nonparticipating provider reimbursement fund and reducing the 103 5 medical assistance program appropriation are contingent upon 103 6 the department of human services receiving approval of the 103 7 requests relating to medical assistance waivers and state plan 103 8 amendments necessary to implement the hospital health care 103 9 access trust fund if enacted by 2010 Iowa Acts, Senate File 103 10 2388.</p>	<p>All provisions in this Division making appropriations are contingent on enactment and approval of SF 2388 by the Centers for Medicare and Medicaid Services.</p>
<p>103 11 DIVISION XX 103 12 WAIVER OF PENALTIES AND INTEREST</p>	
<p>103 13 Sec. 211. WAIVER OF PENALTIES AND INTEREST == 103 14 DISASTER=RELATED LOSSES == REFUNDS. 103 15 1. Notwithstanding sections 421.8, 421.27, and 422.25, if a 103 16 taxpayer has filed a return for tax year 2008 relying in good 103 17 faith on the expectation that the state of Iowa would conform 103 18 to the federal treatment of disaster=related casualty losses 103 19 under section 165(h) of the Internal Revenue Code, as modified 103 20 by the Heartland Disaster Relief Act of 2008, Pub. L. No. 103 21 110=343, in computing net income for state tax purposes, the 103 22 director of revenue shall, for any taxpayer amending the return 103 23 in the time permitted by statute, waive any penalty or interest 103 24 due as a result of either a failure to timely pay the tax due or 103 25 the filing of a defective or incorrect return.</p>	<p>CODE: Waives the application of penalty and interest charged to taxpayers that filed 2008 Iowa income tax returns claiming a 2008 disaster casualty loss deduction that was not allowed under Iowa tax law. Applies only to penalty and interest charges. Requires refunds to taxpayers for penalty and interest already paid. This provision is effective on enactment and applies only to tax year 2008.</p> <p>FISCAL IMPACT: The estimated fiscal impact is a reduction in General Fund receipts of approximately \$100,000 in FY 2010 and \$112,000 in FY 2011.</p>

103 26 2. If, prior to the effective date of this division of this
103 27 Act, a taxpayer paid penalties or interest as a result of a
103 28 good-faith reliance on the state conforming to section 165(h)
103 29 of the Internal Revenue Code, the department of revenue shall
103 30 refund such penalties and interest to the taxpayer.

103 31 Sec. 212. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
103 32 APPLICABILITY. This division of this Act, being deemed of
103 33 immediate importance, takes effect upon enactment and applies
103 34 retroactively to January 1, 2008, for tax years beginning on or
103 35 after that date and before January 1, 2009.

This Division is effective on enactment and applies only to tax year 2008.

Summary Data

General Fund

	<u>Estimated FY 2010</u> (1)	<u>Supp-Senate Action FY 2010</u> (2)	<u>Est Net FY 2010</u> (3)	<u>Current Law FY 2011</u> (4)	<u>Standings Bill FY 2011</u> (5)	<u>Total FY 2011</u> (6)	<u>Total FY 2011 vs FY 2010</u> (7)
Administration and Regulation	\$ 0	\$ 500,000	\$ 500,000	\$ 0	\$ 2,300,000	\$ 2,300,000	\$ 1,800,000
Health and Human Services	0	0	0	0	-18,863,117	-18,863,117	-18,863,117
Unassigned Standings	2,385,190,149	9,735,662	2,394,925,811	3,057,030,023	-404,327,106	2,652,702,917	257,777,106
Grand Total	<u>\$ 2,385,190,149</u>	<u>\$ 10,235,662</u>	<u>\$ 2,395,425,811</u>	<u>\$ 3,057,030,023</u>	<u>\$ -420,890,223</u>	<u>\$ 2,636,139,800</u>	<u>\$ 240,713,989</u>

Administration and Regulation

General Fund

	Estimated FY 2010 (1)	Supp-Senate Action FY 2010 (2)	Est Net FY 2010 (3)	Current Law FY 2011 (4)	Standings Bill FY 2011 (5)	Total FY 2011 (6)	Total FY 2011 vs FY 2010 (7)	Page and Line # (8)
<u>Administrative Services, Dept. of</u>								
Administrative Services								
Technology Procurement	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,300,000	\$ 2,300,000	\$ 2,300,000	PG 17 LN 10
Terrace Hill Operations	0	0	0	0	263,329	263,329	263,329	PG 97 LN 19
DAS Operations	0	0	0	0	2,761,100	2,761,100	2,761,100	PG 39 LN 20
Total Administrative Services, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,324,429	\$ 5,324,429	\$ 5,324,429	
<u>Governor</u>								
Governor's Office								
Terrace Hill Reduction	\$ 0	\$ 0	\$ 0	\$ 0	\$ -263,329	\$ -263,329	\$ -263,329	PG 97 LN 30
Total Governor	\$ 0	\$ 0	\$ 0	\$ 0	\$ -263,329	\$ -263,329	\$ -263,329	
<u>Management, Dept. of</u>								
Management, Dept. of								
DOM Operations (Supp)	\$ 0	\$ 200,000	\$ 200,000	\$ 0	\$ 0	\$ 0	\$ -200,000	PG 35 LN 31
DOM Reduction	0	0	0	0	-2,761,100	-2,761,100	-2,761,100	PG 39 LN 29
Total Management, Dept. of	\$ 0	\$ 200,000	\$ 200,000	\$ 0	\$ -2,761,100	\$ -2,761,100	\$ -2,961,100	
<u>Revenue, Dept. of</u>								
Revenue, Dept. of								
State Debt Coordinator	\$ 0	\$ 300,000	\$ 300,000	\$ 0	\$ 0	\$ 0	\$ -300,000	PG 35 LN 35
Total Revenue, Dept. of	\$ 0	\$ 300,000	\$ 300,000	\$ 0	\$ 0	\$ 0	\$ -300,000	
Total Administration and Regulation	\$ 0	\$ 500,000	\$ 500,000	\$ 0	\$ 2,300,000	\$ 2,300,000	\$ 1,800,000	

Health and Human Services General Fund

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
Human Services, Dept. of								
Assistance								
Medicaid Deappropriation	\$ 0	\$ 0	\$ 0	\$ 0	\$ -18,863,117	\$ -18,863,117	\$ -18,863,117	PG 102 LN 29
Total Human Services, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -18,863,117</u>	<u>\$ -18,863,117</u>	<u>\$ -18,863,117</u>	
Total Health and Human Services	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ -18,863,117</u></u>	<u><u>\$ -18,863,117</u></u>	<u><u>\$ -18,863,117</u></u>	

Unassigned Standings

General Fund

	Estimated FY 2010 (1)	Supp-Senate Action FY 2010 (2)	Est Net FY 2010 (3)	Current Law FY 2011 (4)	Standings Bill FY 2011 (5)	Total FY 2011 (6)	Total FY 2011 vs FY 2010 (7)	Page and Line # (8)
<u>Cultural Affairs, Dept. of</u>								
Cultural Affairs, Dept. of								
County Endowment DCA Grants-AGR	\$ 443,300	\$ 0	\$ 443,300	\$ 520,000	-76,700	\$ 443,300	\$ 0	PG 2 LN 18
Total Cultural Affairs, Dept. of	\$ 443,300	\$ 0	\$ 443,300	\$ 520,000	\$ -76,700	\$ 443,300	\$ 0	
<u>Economic Development, Dept. of</u>								
Economic Development, Dept. of								
Tourism Marketing - AGR	\$ 862,028	\$ 0	\$ 862,028	\$ 1,104,000	-241,972	\$ 862,028	\$ 0	PG 2 LN 22
Total Economic Development, Dept. of	\$ 862,028	\$ 0	\$ 862,028	\$ 1,104,000	\$ -241,972	\$ 862,028	\$ 0	
<u>Education, Dept. of</u>								
Education, Dept. of								
State Foundation School Aid	\$ 2,146,457,965	\$ 0	\$ 2,146,457,965	\$ 2,661,200,000	-162,042,125	\$ 2,499,157,875	\$ 352,699,910	PG 3 LN 19
State Aid (UST) Reduction	0	0	0	0	-5,100,000	-5,100,000	-5,100,000	PG 3 LN 28
Child Development	10,344,502	1,149,389	11,493,891	12,606,196	-1,112,305	11,493,891	0	PG 2 LN 32
Instructional Support	0	0	0	14,800,000	-14,800,000	0	0	PG 4 LN 18
Transportation of Nonpublic Pupils	7,060,931	0	7,060,931	9,200,000	-2,139,069	7,060,931	0	PG 3 LN 2
Total Education, Dept. of	\$ 2,163,863,398	\$ 1,149,389	\$ 2,165,012,787	\$ 2,697,806,196	\$ -185,193,499	\$ 2,512,612,697	\$ 347,599,910	
<u>Energy Independence</u>								
Office of Energy Independence								
Iowa Power Fund	\$ 21,600,000	\$ 0	\$ 21,600,000	\$ 25,000,000	-5,400,000	\$ 19,600,000	\$ -2,000,000	PG 3 LN 16
Total Energy Independence	\$ 21,600,000	\$ 0	\$ 21,600,000	\$ 25,000,000	\$ -5,400,000	\$ 19,600,000	\$ -2,000,000	
<u>Legislative Branch</u>								
Legislative Services Agency								
Legislative Branch	\$ 33,410,448	\$ -3,340,411	\$ 30,070,037	\$ 36,009,827	-5,939,790	\$ 30,070,037	\$ 0	PG 2 LN 2
Total Legislative Branch	\$ 33,410,448	\$ -3,340,411	\$ 30,070,037	\$ 36,009,827	\$ -5,939,790	\$ 30,070,037	\$ 0	
<u>Public Health, Dept. of</u>								
Public Health, Dept. of								
Reg. for Congenital & Inherited Disorders	\$ 161,360	\$ 20,684	\$ 182,044	\$ 232,500	-50,456	\$ 182,044	\$ 0	PG 2 LN 25
Total Public Health, Dept. of	\$ 161,360	\$ 20,684	\$ 182,044	\$ 232,500	\$ -50,456	\$ 182,044	\$ 0	

Unassigned Standings

General Fund

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
Human Services, Dept. of								
Assistance								
MH Property Tax Relief	\$ 73,399,911	\$ 10,480,000	\$ 83,879,911	\$ 95,000,000	-13,800,089	\$ 81,199,911	\$ -2,680,000	PG 3 LN 9
Child Abuse Prevention	174,076	0	174,076	232,500	-14,728	217,772	43,696	PG 2 LN 29
Total Assistance	\$ 73,573,987	\$ 10,480,000	\$ 84,053,987	\$ 95,232,500	\$ -13,814,817	\$ 81,417,683	\$ -2,636,304	
Total Human Services, Dept. of	\$ 73,573,987	\$ 10,480,000	\$ 84,053,987	\$ 95,232,500	\$ -13,814,817	\$ 81,417,683	\$ -2,636,304	
Management, Dept. of								
Management, Dept. of								
Property Tax Credit Fund	91,256,037	0	91,256,037	0	91,256,037	91,256,037	0	PG 5 LN 9
FY 2011 Budget Reductions	0	0	0	0	-83,760,500	-83,760,500	-83,760,500	PG 16 LN 6
Total Management, Dept. of	\$ 91,256,037	\$ 0	\$ 91,256,037	\$ 0	\$ 7,495,537	\$ 7,495,537	\$ -83,760,500	
Revenue, Dept. of								
Revenue, Dept. of								
Tobacco Reporting Requirements	19,591	0	19,591	25,000	-5,409	19,591	0	PG 3 LN 13
Homestead Property Tax Credit	0	0	0	136,200,000	-136,200,000	0	0	PG 5 LN 29
AG Land/Family Farm Tax Credit	0	0	0	39,100,000	-39,100,000	0	0	PG 5 LN 32
Military Service Tax Credit	0	0	0	2,400,000	-2,400,000	0	0	PG 5 LN 35
Elderly & Disabled Tax Credit	0	1,426,000	1,426,000	23,400,000	-23,400,000	0	-1,426,000	PG 6 LN 3
Total Revenue, Dept. of	\$ 19,591	\$ 1,426,000	\$ 1,445,591	\$ 201,125,000	\$ -201,105,409	\$ 19,591	\$ -1,426,000	
Total Unassigned Standings	\$ 2,385,190,149	\$ 9,735,662	\$ 2,394,925,811	\$ 3,057,030,023	\$ -404,327,106	\$ 2,652,702,917	\$ 257,777,106	

Summary Data

Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>
Administration and Regulation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,706,494	\$ 1,706,494	\$ 1,706,494
Agriculture and Natural Resources	0	0	0	0	850,000	850,000	850,000
Economic Development	0	0	0	0	6,700,000	6,700,000	6,700,000
Education	0	0	0	0	5,097,000	5,097,000	5,097,000
Health and Human Services	0	0	0	0	231,450,000	231,450,000	231,450,000
Justice System	0	0	0	0	463,531	463,531	463,531
Unassigned Standings	<u>230,046,426</u>	<u>0</u>	<u>230,046,426</u>	<u>0</u>	<u>230,821,153</u>	<u>230,821,153</u>	<u>774,727</u>
Grand Total	<u>\$ 230,046,426</u>	<u>\$ 0</u>	<u>\$ 230,046,426</u>	<u>\$ 0</u>	<u>\$ 477,088,178</u>	<u>\$ 477,088,178</u>	<u>\$ 247,041,752</u>

Administration and Regulation

Other Funds

	Estimated FY 2010 (1)	Supp-Senate Action FY 2010 (2)	Est Net FY 2010 (3)	Current Law FY 2011 (4)	Standings Bill FY 2011 (5)	Total FY 2011 (6)	Total FY 2011 vs FY 2010 (7)	Page and Line # (8)
<u>Administrative Services, Dept. of</u>								
Administrative Services								
Autism Coverage-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 140,000	\$ 140,000	\$ 140,000	PG 34 LN 10
Medication Therapy Mgmt-UST	0	0	0	0	543,000	543,000	543,000	PG 80 LN 18
Terrace Hill Operations - CRF	0	0	0	0	168,494	168,494	168,494	PG 97 LN 9
Total Administrative Services, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 851,494	\$ 851,494	\$ 851,494	
<u>Commerce, Dept. of</u>								
Insurance Division								
Insurance Info Exchange-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 150,000	PG 35 LN 20
Insurance Division (Standings)-CMRF	0	0	0	0	55,000	55,000	55,000	PG 37 LN 33
Total Commerce, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 205,000	\$ 205,000	\$ 205,000	
<u>Human Rights, Dept. of</u>								
Human Rights, Department of								
CJJP-Public Safety Advisory Bd-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 140,000	\$ 140,000	\$ 140,000	PG 69 LN 8
Total Human Rights, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 140,000	\$ 140,000	\$ 140,000	
<u>Inspections & Appeals, Dept. of</u>								
Inspections and Appeals, Dept. of								
Dependent Adult Abuse-MFA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	\$ 250,000	PG 37 LN 7
Total Inspections & Appeals, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	\$ 250,000	
<u>Management, Dept. of</u>								
Management, Dept. of								
DOM Operations - CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 260,000	\$ 260,000	\$ 260,000	PG 38 LN 17
Total Management, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 260,000	\$ 260,000	\$ 260,000	
Total Administration and Regulation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,706,494	\$ 1,706,494	\$ 1,706,494	

Agriculture and Natural Resources

Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
<u>Agriculture and Land Stewardship</u>								
Agriculture and Land Stewardship								
Fuel Inspection-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	\$ 250,000	PG 86 LN 25
Total Agriculture and Land Stewardship	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	\$ 250,000	
<u>Natural Resources, Dept. of</u>								
Natural Resources								
Database Modification-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	\$ 100,000	PG 86 LN 18
Technical Tank Review-UST	0	0	0	0	200,000	200,000	200,000	PG 86 LN 9
DNR Facility Rent - CRF	0	0	0	0	300,000	300,000	300,000	PG 38 LN 32
Total Natural Resources, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 600,000	\$ 600,000	\$ 600,000	
Total Agriculture and Natural Resources	\$ 0	\$ 0	\$ 0	\$ 0	\$ 850,000	\$ 850,000	\$ 850,000	

Economic Development Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
<u>Economic Development, Dept. of</u>								
Economic Development, Dept. of Taiwan Trade Office-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	\$ 100,000	PG 37 LN 18
Total Economic Development, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	\$ 100,000	
<u>Iowa Finance Authority</u>								
Iowa Finance Authority CR Courthouse Flood Mit.-CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,100,000	\$ 2,100,000	\$ 2,100,000	PG 39 LN 15
Public Ser Ctr Flood Damage-CRF	0	0	0	0	4,500,000	4,500,000	4,500,000	PG 39 LN 10
Total Iowa Finance Authority	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,600,000	\$ 6,600,000	\$ 6,600,000	
Total Economic Development	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,700,000	\$ 6,700,000	\$ 6,700,000	

Education Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
Education, Dept. of								
Vocational Rehabilitation								
Farmers with Disabilities-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 97,000	\$ 97,000	\$ 97,000	PG 34 LN 20
Education, Dept. of								
Sac and Fox Education-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 90,000	\$ 90,000	\$ 90,000	PG 36 LN 21
Jobs for Amer Grads-CRF	0	0	0	0	540,000	540,000	540,000	PG 38 LN 27
Preschool Program-CRF	0	0	0	0	4,000,000	4,000,000	4,000,000	PG 38 LN 21
Total Education, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 4,630,000	\$ 4,630,000	\$ 4,630,000	
Total Education, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 4,727,000	\$ 4,727,000	\$ 4,727,000	
Regents, Board of								
Regents, Board of								
Braille & Sight Saving School-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 137,000	\$ 137,000	\$ 137,000	PG 34 LN 18
School for the Deaf-UST	0	0	0	0	233,000	233,000	233,000	PG 34 LN 15
Total Regents, Board of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 370,000	\$ 370,000	\$ 370,000	
Total Education	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,097,000	\$ 5,097,000	\$ 5,097,000	

Health and Human Services

Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
Public Health, Dept. of								
Public Health, Dept. of								
Pharmaceutical Disposal-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 150,000	PG 34 LN 5
Total Public Health, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 150,000	
Human Services, Dept. of								
Assistance								
Medicaid - CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 187,800,000	\$ 187,800,000	\$ 187,800,000	PG 38 LN 14
Medicaid - HHCATF	0	0	0	0	39,406,000	39,406,000	39,406,000	PG 102 LN 1
Nonparticipating Provider - HHCATF	0	0	0	0	594,000	594,000	594,000	PG 102 LN 14
Nonparticipating Provider - NPRF	0	0	0	0	2,000,000	2,000,000	2,000,000	PG 102 LN 18
UIHC Physician Reimbursement - ICA	0	0	0	0	2,000,000	2,000,000	2,000,000	PG 101 LN 15
Nonparticipating Provider - ICA	0	0	0	0	-2,000,000	-2,000,000	-2,000,000	PG 101 LN 25
Child & Family Services-UST	0	0	0	0	1,000,000	1,000,000	1,000,000	PG 35 LN 7
Shelter Care-CRF	0	0	0	0	500,000	500,000	500,000	PG 39 LN 2
Total Human Services, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 231,300,000	\$ 231,300,000	\$ 231,300,000	
Total Health and Human Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 231,450,000	\$ 231,450,000	\$ 231,450,000	

Justice System Other Funds

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>	Page and Line # <u>(8)</u>
<u>Public Safety, Department of</u>								
Public Safety, Dept. of DCI Gaming Enforcement-GERF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 463,531	\$ 463,531	\$ 463,531	PG 65 LN 25
Total Public Safety, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 463,531</u>	<u>\$ 463,531</u>	<u>\$ 463,531</u>	
Total Justice System	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 463,531</u>	<u>\$ 463,531</u>	<u>\$ 463,531</u>	

Unassigned Standings Other Funds

	Estimated FY 2010 (1)	Supp-Senate Action FY 2010 (2)	Est Net FY 2010 (3)	Current Law FY 2011 (4)	Standings Bill FY 2011 (5)	Total FY 2011 (6)	Total FY 2011 vs FY 2010 (7)	Page and Line # (8)
Education, Dept. of								
Education, Dept. of								
School Foundation Aid-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,100,000	\$ 5,100,000	\$ 5,100,000	PG 3 LN 28
Instructional Support-SIF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 7,500,000	\$ 7,500,000	\$ 7,500,000	PG 4 LN 18
Total Education, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 12,600,000	\$ 12,600,000	\$ 12,600,000	
Energy Independence								
Office of Energy Independence								
Iowa Power Fund - CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	PG 39 LN 7
Total Energy Independence	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	
Executive Council								
Executive Council								
Performance of Duty-CRF	\$ 25,600,000	\$ 0	\$ 25,600,000	\$ 0	\$ 10,583,628	\$ 10,583,628	\$ -15,016,372	PG 8 LN 12
Total Executive Council	\$ 25,600,000	\$ 0	\$ 25,600,000	\$ 0	\$ 10,583,628	\$ 10,583,628	\$ -15,016,372	
Management, Dept. of								
Management, Dept. of								
Appropriation Contingencies-CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	PG 17 LN 1
Property Tax Credit Fund-CRF	54,684,481	0	54,684,481	0	54,684,481	54,684,481	0	PG 5 LN 13
Total Management, Dept. of	\$ 54,684,481	\$ 0	\$ 54,684,481	\$ 0	\$ 59,684,481	\$ 59,684,481	\$ 5,000,000	
Revenue, Dept. of								
Revenue, Dept. of								
Homestead Property Tax Credit-PTCF	\$ 94,216,619	\$ 0	\$ 94,216,619	\$ 0	\$ 87,757,913	\$ 87,757,913	\$ -6,458,706	PG 5 LN 29
Ag. Land/Family Farm Tax Credits-PTCF	32,395,131	0	32,395,131	0	32,395,131	32,395,131	0	PG 5 LN 32
Military Service Tax Credit-PTCF	2,370,995	0	2,370,995	0	2,400,000	2,400,000	29,005	PG 5 LN 35
Elderly & Disabled Tax Credit-PTCF	20,779,200	0	20,779,200	0	23,400,000	23,400,000	2,620,800	PG 6 LN 3
Total Revenue, Dept. of	\$ 149,761,945	\$ 0	\$ 149,761,945	\$ 0	\$ 145,953,044	\$ 145,953,044	\$ -3,808,901	
Total Unassigned Standings	\$ 230,046,426	\$ 0	\$ 230,046,426	\$ 0	\$ 230,821,153	\$ 230,821,153	\$ 774,727	

Summary Data

FTE

	Estimated FY 2010 <u>(1)</u>	Supp-Senate Action FY 2010 <u>(2)</u>	Est Net FY 2010 <u>(3)</u>	Current Law FY 2011 <u>(4)</u>	Standings Bill FY 2011 <u>(5)</u>	Total FY 2011 <u>(6)</u>	Total FY 2011 vs FY 2010 <u>(7)</u>
Administration and Regulation	0.00	3.00	3.00	0.00	3.26	1.26	-1.74
Grand Total	<u>0.00</u>	<u>3.00</u>	<u>3.00</u>	<u>0.00</u>	<u>3.26</u>	<u>1.26</u>	<u>-1.74</u>

Administration and Regulation

FTE

	Estimated FY 2010 (1)	Supp-Senate Action FY 2010 (2)	Est Net FY 2010 (3)	Current Law FY 2011 (4)	Standings Bill FY 2011 (5)	Total FY 2011 (6)	Total FY 2011 vs FY 2010 (7)	Page and Line # (8)
<u>Administrative Services, Dept. of</u>								
Administrative Services								
Terrace Hill Operations	0.00	0.00	0.00	0.00	6.38	6.38	6.38	PG 97 LN 19
DAS Operations	0.00	0.00	0.00	0.00	34.40	34.40	34.40	PG 39 LN 20
Total Administrative Services, Dept. of	0.00	0.00	0.00	0.00	40.78	40.78	40.78	
<u>Commerce, Dept. of</u>								
Insurance Division								
Insurance Division (Standings)-CMRF	0.00	0.00	0.00	0.00	3.00	1.00	1.00	PG 37 LN 33
Total Commerce, Dept. of	0.00	0.00	0.00	0.00	3.00	1.00	1.00	
<u>Governor</u>								
Governor's Office								
Terrace Hill Reduction	0.00	0.00	0.00	0.00	-8.12	-8.12	-8.12	PG 97 LN 30
Total Governor	0.00	0.00	0.00	0.00	-8.12	-8.12	-8.12	
<u>Human Rights, Dept. of</u>								
Human Rights, Department of								
CJJP-Public Safety Advisory Bd-USTF	0.00	0.00	0.00	0.00	2.00	2.00	2.00	PG 69 LN 8
Total Human Rights, Dept. of	0.00	0.00	0.00	0.00	2.00	2.00	2.00	
<u>Management, Dept. of</u>								
Management, Dept. of								
DOM Reduction	0.00	0.00	0.00	0.00	-34.40	-34.40	-34.40	PG 39 LN 29
Total Management, Dept. of	0.00	0.00	0.00	0.00	-34.40	-34.40	-34.40	
<u>Revenue, Dept. of</u>								
Revenue, Dept. of								
State Debt Coordinator	0.00	3.00	3.00	0.00	0.00	0.00	-3.00	PG 35 LN 35
Total Revenue, Dept. of	0.00	3.00	3.00	0.00	0.00	0.00	-3.00	
Total Administration and Regulation	0.00	3.00	3.00	0.00	3.26	1.26	-1.74	